



People's Democratic Republic of Algeria
Ministry of Higher Education and Scientific Research
Dr. Moulay Tahar University of Saïda
Faculty of Letters, Languages, and Arts
Department of English Language and Literature

Option: Civilization

The Impact of Brexit on Devolution in the United Kingdom

A dissertation submitted to the Department of English Language and Literature in partial fulfillment of the requirements for the degree of Master in Literature and Civilization

Supervisor: Prof. GHAOUTI Rabha

President: Dr. S. Zairi

Examiner: Dr. F. Bougesmia

Submitted by:

Meddah Moulay Idriss

Academic Year: 2025-2026

Declaration of Originality

I declare that the work presented in this dissertation is my own and has not been submitted for a degree or qualification at this or any other university.

I have acknowledged and cited all sources of information and ideas from other authors in accordance with the appropriate academic conventions.

I further declare that no part of this work has been copied or pasted without appropriate reference.

Name: Meddah Moulay Idriss

Date: _____

Signature: _____

Dedication

I dedicate this dissertation to my dear parents, whose unconditional love, endless sacrifices, patience, and steadfast support have been the guiding force throughout my academic journey.

Their unwavering belief in me has continually encouraged me to persevere and reach my goals.

I also dedicate this work to my family and friends for their constant motivation, understanding, and encouragement at every step of my path.

A special thank you goes to my instructors and mentors, whose expertise, guidance, and dedication have inspired me to pursue my studies with passion and ambition.

Finally, I dedicate this modest achievement to all who believe that education, hard work, and perseverance are the true foundations of success

Acknowledgements

First and foremost, I would like to express my sincere gratitude and deepest appreciation to my supervisor, Prof. GHAOUTI Rabha, for the valuable guidance, constructive advice, patience, and continuous support provided throughout the completion of this dissertation. Their academic expertise and encouragement played a significant role in the accomplishment of this work.

I would also like to extend my heartfelt thanks to the members of the jury, Dr. S. Zairi and Dr. F. Bougesmia , for accepting to examine and evaluate this dissertation.

My sincere appreciation also goes to all the teachers of the Department of English at Saida University for their dedication, knowledge, and guidance throughout my academic studies.

Finally, I would like to thank everyone who contributed directly or indirectly to the successful completion of this dissertation.

Abstract

This dissertation investigates the impact of Brexit on devolution within the United Kingdom, focusing on the political, economic, and constitutional consequences for the devolved nations of Scotland, Wales, and Northern Ireland. It analyzes how the UK's departure from the European Union has shifted the balance of power between Westminster and the devolved governments, influencing regional identities and national cohesion. Employing a qualitative methodology, the study draws on academic literature, official reports, government documents, and previous research to examine the responses of devolved administrations and the constitutional debates following the 2016 referendum. The findings reveal that Brexit has intensified divisions across the UK concerning governance, legislative authority, and economic policy. Scotland and Northern Ireland, having voted predominantly to remain in the EU, have experienced heightened political tensions, with renewed discussions about Scottish independence and the complexities of the Irish border. Furthermore, Brexit has strained the existing devolution settlement, prompting critical questions about the UK's unity and long-term stability. Ultimately, this dissertation argues that Brexit represents a significant turning point in the UK's constitutional and political landscape, fundamentally reshaping the relationship between the central government and devolved nations and opening new debates on sovereignty, autonomy, and the future of the Union.

Keywords: Brexit, devolution, United Kingdom, constitutional change, regional autonom

List of abbreviations

COVID-19	Coronavirus Disease 2019
DUP	Democratic Unionist Party
EEC	European Economic Community
EFTA	European Free Trade Association
ERDF	European Regional Development Fund
ESF	European Social Fund
EU	European Union
GDP	Gross Domestic Product
HS2	High Speed 2
IMA	Internal Market Act
IMF	International Monetary Fund
LCMs	Legislative Consent Motions
NI	Northern Ireland
SNP	Scottish National Party
SPF	Shared Prosperity Fund
UK	United Kingdom
UKIM	United Kingdom Internal Market
UKIP	United Kingdom Independence Party
UKSPF	United Kingdom Shared Prosperity Fund

List of Tables

Table 1 : The Proportion of the vote across the UK.	27
Table 2 : Comparative Impact of Brexit on the Constitutional and Economic Frameworks of the Devolved Nations (2020–2026).....	51

List of Figures

Figure 1: Majority vote by region in the 2016 United Kingdom referendum on leaving the European Union.	17
Figure 2: Percentage difference between the UK’s GDP per capita and EU founding members between 1950 and 2011.	22
Figure 3: The total number of votes cast, and the national share of the vote, for Leave and Remain.	27
Figure 4: UK Government Funds for Regional and Local Economies Growth Deals (Committee, 2019).	44
Figure 5: The Windsor Framework (2023) (Muragundi, 2025)	47
Figure 6: Differential Impacts of Brexit on Scotland, Wales, and Northern Ireland (Parliament., 2017)	49
Figure 7: The Windsor Framework dual-lane system for goods entering Northern Ireland from Great Britain. (Government. H. , 2023)	58
Figure 8: Economic Growth 2010–2023 (GDP % increase) (NISRA, 2026)	64
Figure 9: Comparing the annual funding received in Northern Ireland under the European Social Fund (ESF) versus the current UK Shared Prosperity Fund (UKSPF).	65

Table of Contents

List of abbreviations	V
List of Tables	VI
List of Figures.....	VII
General Introduction.....	10
Chapter 01 : Historical Background and Conceptual Framework	14
Introduction	15
1.1 Origin of Brexit	15
1.1.1 From Theresa May to Boris Johnson: The Political Evolution of Brexit.....	17
1.2 Why the UK joined and decided to leave the EU ?	20
1.2.1 Why did the UK join the EU ?	20
1.2.2 Why did the UK decide to leave the EU ?.....	22
1.2.3 The Consequences of Brexit.....	24
1.3 Referendum and Withdrawal	25
1.3.1 The referendum on the UK's membership of the EU	25
1.3.1.1 Results :	26
1.3.1.2 The Key Events of 2016	28
1.3.2 The withdrawal agreement	28
1.3.2.2 Key moments in Brexit process.....	29
1.4 Key Concepts.....	30
1.4.1 Sovereignty	30
1.4.2 Brexit	31
1.4.3 Devolution	32
1.4.4 Regional Autonomy.....	33
Conclusion.....	34
Chapter 02: The Impact of Brexit on Devolution	35
Introduction	36
2.1 Scotland: Autonomy and Independence Debates	36
2.1.1. The "Material Change in Circumstances"	37
2.1.2. The UK Internal Market Act 2020 (UKIM)	37
2.1.3. The Legal Battle for IndyRef2.....	39
2.2 Wales: Political and Economic Consequences	40
2.2.1. Political Consequences: The Rise of "Indy-Curiosity"	41

2.2.2. Economic Consequences: Funding and the "Internal Market"	43
2.3 Northern Ireland: Border Issues and the Windsor Framework.....	45
2.3.1. The Evolution from the Protocol to the Windsor Framework	46
2.3.2. The 2024 Democratic Consent Vote and Beyond.....	48
2.4 Comparison: Asymmetric Responses and Shared Challenges	48
Conclusion :	53
Chapter 03: Devolution Beyond Brexit: Opportunities and Risks	54
Introduction	55
3. 1. Political Implications: Challenges to Governance and UK Unity	55
3.1.1. Centralization vs. Devolution:	56
3.1.2. The Northern Ireland Protocol and UK Unity:	56
A) The Northern Ireland Protocol:	57
B). Northern Ireland and the UK :	57
C). The Northern Ireland Protocol and the Windsor Framework	58
3.1.3. Threats to the Union	59
3. 2. Social and Cultural Implications: Regional Identities and Cohesion	60
3.2.1. Revenge of the "Places That Don't Matter":	61
3.2.2. Identity Shift in the Borderlands:	61
3.2.3. Community Anchors:	62
3.3. Economic Implications: Funding, Local Development, and Opportunities	62
3. 3.1. The Funding Gap:	64
3.3.2. Northern Ireland Case Study:	65
3.3.3. Productivity and Prosperity:	66
3.3.4. Competitive Bidding and Inequality:	67
3.3.5. Entrenched Regional Disparity:	67
3.4. Future Prospects:	68
A. Re-centralisation and Administrative Delivery:	68
B. The Social Enterprise and Cooperative Model:	69
C. Territorial Fragmentation and Independence:	70
D. The Resilience Priority:	70
E. The "Reset" or Constitutional Standoff	71
F. The "English Trailblazer" and Fiscal Devolution	73
Conclusion :	74
GENERAL CONCLUSION	75
Bibliography	78

General Introduction

General Introduction

Brexit - the United Kingdom's decision to leave the European Union-represents a transformative moment in both British and European political history. The referendum held in June 2016, which resulted in a narrow majority supporting withdrawal from the EU, initiated a complex and far-reaching political and constitutional process.

This process not only altered the UK's international relations but also significantly affected its domestic political structure. Brexit brought to the forefront intense debates concerning sovereignty, democratic governance, economic integration, migration, and national identity, while simultaneously exposing deep political and territorial divisions within the UK.

One of the most significant contexts in which these divisions have manifested is devolution, a key feature of the British constitutional system established in the late 1990s with devolved administrations in Scotland, Wales, and Northern Ireland. Devolution was designed to grant these nations a degree of political autonomy; however, Brexit revealed marked differences in political attitudes across the UK. Whereas Scotland and Northern Ireland voted predominantly to remain in the EU, England and Wales voted to leave. These contrasting regional outcomes have generated renewed constitutional tensions and reignited debates regarding independence, regional autonomy, and the future shape of the British state.

Brexit has thus introduced major constitutional and political challenges within the United Kingdom, directly questioning the existing distribution of powers between the central government and the devolved administrations. The varied regional responses to Brexit have raised fundamental questions about the resilience of the devolution settlement and the overall cohesion of the UK. Given these challenges, this dissertation aims to investigate the extent to which Brexit has reshaped devolution, intensified territorial divisions, and influenced the political, economic, and social relationships within the United Kingdom.

This study seeks to answer several key research questions:

1. What were the motivations behind the UK's entry into the EU and its subsequent decision to leave?
2. In what ways has Brexit altered the powers and roles of Scotland, Wales, and Northern Ireland?
3. What are the primary political, social, and economic impacts of Brexit on these devolved regions?
4. How do these impacts compare or contrast across the different nations within the UK?

5. What future risks and opportunities does Brexit present for the unity of the UK and the functioning of its regional governments?

Accordingly, the research objectives are to:

- Examine the historical context surrounding Brexit and the evolution of devolution in the UK.
- Analyze the political and constitutional repercussions of Brexit on devolved governance.
- Investigate the economic and social consequences of Brexit across Scotland, Wales, and Northern Ireland.
- Assess the challenges and opportunities Brexit has created for the future stability of the British Union.
- Explore potential future scenarios regarding territorial governance and constitutional stability within the UK.

The significance of this study lies in its dual focus on Brexit as both a political and constitutional phenomenon. By centering the analysis on devolution, the dissertation contributes to a deeper understanding of the evolving nature of governance and territorial politics within the United Kingdom. Furthermore, it sheds light on how Brexit has influenced ongoing debates about sovereignty, regional identity, democratic legitimacy, and national unity in a diverse and multicultural state.

This research is confined to examining the implications of Brexit for devolution in Scotland, Wales, and Northern Ireland, covering political, economic, and constitutional issues from the 2016 referendum onwards. However, the study faces certain limitations, including the scarcity of up-to-date and comprehensive data and the rapidly changing political landscape in the UK, which may affect the scope and timeliness of the findings.

Methodologically, this dissertation employs a qualitative analytical approach, drawing on academic literature, official reports, political speeches, and scholarly commentary related to Brexit and devolution. A comparative methodology is applied to illustrate the similarities and differences in how Scotland, Wales, and Northern Ireland have been affected by Brexit. The analysis combines descriptive and critical perspectives to examine constitutional tensions and territorial challenges within the UK.

The structure of the thesis is organised into three principal chapters. Chapter One, “Historical Background and Conceptual Framework,” provides an overview of the origins of Brexit, the historical relationship between the UK and the EU, and the referendum process. It

also defines key concepts such as Brexit, devolution, sovereignty, and regional autonomy. Chapter Two, “Brexit and Devolution,” investigates the political, economic, and constitutional consequences of Brexit for the devolved nations, highlighting the similarities and differences in their responses. Chapter Three, “Devolution Beyond Brexit: Opportunities and Risks,” explores the broader implications of Brexit for governance, regional identity, economic development, and social cohesion, while considering potential future scenarios for the UK's constitutional future and territorial integrity.

The dissertation concludes with a summary of key findings, answers to the research questions, and recommendations for policymakers, alongside suggestions for future research on Brexit and devolution.

Chapter 01 : Historical Background and Conceptual Framework

Introduction

This chapter outlines the historical and intellectual context to the withdrawal of the United Kingdom from the European Union, generally known as Brexit. It traces the UK's involvement with the European project from initial participation through to the increasing political and popular disputes leading to the 2016 vote and eventual withdrawal in 2020.

The discussion is organized around the key political developments, debates and institutional processes that have made Brexit a complex and incremental change rather than a single event. It also discusses the key analytical concepts of sovereignty, devolution and regional autonomy, which are necessary to understand the broader constitutional and political consequences of Brexit for the United Kingdom.

1.1 Origin of Brexit

Brexit, a compound word of “British” and “exit,” is the United Kingdom's formal exit from the European Union on January 31, 2020. The decision came after the June 23, 2016, referendum in which nearly 52 percent of British voters supported leaving the EU, making the U.K. the first member state to do so. The departure process was a long and difficult one, taking more than two years of negotiations after Britain formally applied to leave in March 2017. The British Prime Minister most closely connected with Brexit, Theresa May, resigned in July 2019 after repeatedly failing to obtain parliamentary approval for her separation agreement. Her successor, Boris Johnson, later concluded the transaction. (Wallenfeldt, 2026)

Growing concerns over sovereignty, immigration and Britain's place inside the EU have contributed to the emergence of Euroscepticism across the country. As these issues became key to political debate David Cameron decided to organise a referendum to allow the people to decide the future of the UK's EU membership. To understand this choice we must look at Cameron's role and the political dynamics leading to the vote. (Wallenfeldt, 2026)

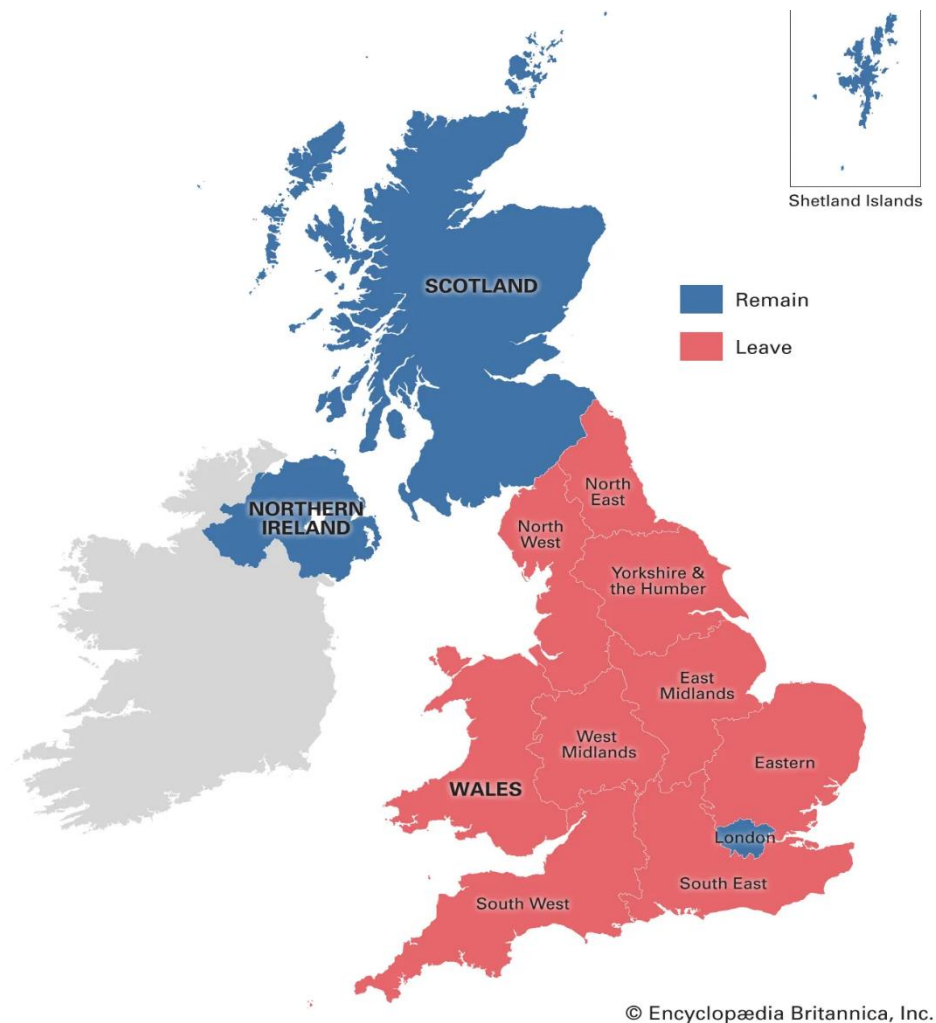
Cameron's commitment to a referendum in 2013 was a response to rising Euroscepticism in the Conservative Party. Prior to the 2015 migrant crisis, many Britons have expressed concerns about immigration from other EU member states under the policy of free movement. In the meantime, Nigel Farage's United Kingdom Independence Party (UKIP) gained momentum by exploiting anti-immigration sentiment, frequently at the expense of the Tories. Britain's financial contributions to the EU's response to the eurozone debt crisis in Greece were also criticised by eurosceptics, who argued that the UK had given up too much sovereignty and was vulnerable to heavy EU regulation.

Labour and the Liberal Democrats tended to be in favour of staying in the EU , although many Conservatives only backed ongoing participation if major reforms could be made . Before conducting the referendum, Cameron obtained concessions from the European Council after winning the 2015 general election. In February 2016, EU leaders agreed to a number of concessions to Britain, including curbs on migrant benefits through a “emergency brake,” a carve-out from the principle of “ever-closer union,” and the retention of the pound sterling. (Wallenfeldt, 2026)

Attention then moved to the referendum campaign. Cameron, who led the Remain camp under the banner of Britain Stronger in Europe, highlighted the benefits of access to the EU single market. The Leave campaign, led by Boris Johnson through Vote Leave, argued that EU membership hampered Britain’s ability to negotiate independent trade deals. Both sides drew on research, expert opinion and support from influential figures. Barack Obama, Angela Merkel and Christine Lagarde backed Remain, Lord David Owen and Donald Trump backed Leave. Opinion surveys had indicated a tight race, but the final tally showed some 52 percent of voters wanted to leave the European Union. Following the result, Cameron resigned, saying that he should not be the leader to take the country into its next stage. (Wallenfeldt, 2026)

After the referendum David Cameron resigned, and Theresa May took over Brexit. Despite her opposition to Brexit, she assumed the role of prime minister during a period of deep division in the UK. She would have to turn the referendum result into an exit plan and define the UK’s relationship with the EU.

Figure 1: Majority vote by region in the 2016 United Kingdom referendum on leaving the European Union.



1.1.1 From Theresa May to Boris Johnson: The Political Evolution of Brexit

Boris Johnson had been the predicted successor to David Cameron but Theresa May, Home Secretary, became head of the Conservative Party and Prime Minister in July 2016. May has promised Brexit while backing Remain in the referendum. On 29 March 2017 she wrote to European Council President Donald Tusk, activating Article 50 of the Lisbon Treaty and beginning the two-year Brexit discussions. Wallenfeldt (2026) quoted May as saying that the negotiations would be pleasant and cooperative to reach a broad free trade accord. (Wallenfeldt, 2026).

May called a snap general election in June 2017 to strengthen her Brexit mandate. But the Conservative Party lost its majority in the legislature and became dependent on the DUP. This complicates government relations and makes it difficult to formulate a Brexit plan (Wallenfeldt, 2026). It is not clear if the Chequers conference of July 2018 tried to spell out such a proposal. The strategy provided for harmonization with EU regulations and a common framework for future agreements. Britain would regain control over immigration, but Britons may work and study overseas. The government opposed the proposal and Brexit Secretary David Davis and Foreign Secretary Boris Johnson quit over it. However, the UK's exit was not without its challenges (Wallenfeldt, 2026).

Brexit tensions and government turmoil saw May forced out of office and replaced by Boris Johnson, who vowed to "get Brexit done". Johnson's government negotiated a new deal with the EU, which was approved by Parliament and ratified by the EU in early 2020. The UK formally left the EU on 31 January 2020, entering a transition period that was to last until the end of 2020. During this transition, the UK was to continue following EU rules, including paying EU contributions and adhering to EU laws. The transition period was extended until the end of 2020, with the UK and the EU agreeing to a trade agreement that was finalized on 24 December 2020. The UK officially left the EU on 31 January 2020, and the transition period ended on 31 December 2020. The UK and the EU agreed to a free trade agreement, which took effect on 1 January 2021.

The backstop for Northern Ireland was a problematic feature of the deal. The backstop is a legally binding customs solution if the UK and EU were unable to strike a trade deal to protect the Good Friday Agreement and avoid a hard border. Critics argued it might bind the UK into EU rules forever and create a customs barrier in the Irish Sea. The Liberal Democrats, Scottish National Party, Labour and several Tory MPs rejected it. Legal advice from Attorney General Geoffrey Cox voiced fears that the backstop could remain with no obvious way out (Wallenfeldt, 2026).

In December 2018 May postponed the parliamentary vote on her deal while she sought assurances from the EU. Cox said the legal concerns would still exist even if further legal declarations were acquired. In March 2019, Parliament again rejected the new plan, this time by a vote of 391 to 242. A no-deal Brexit was also rejected, which deadlocked Parliament and harmed May (Wallenfeldt, 2026).

The House of Commons held a series of "indicative votes" on Brexit options when talks were deadlocked but none garnered a majority. In March 2019 parliament briefly returned

to its agenda and examined a permanent customs union with the EU. Meanwhile, hundreds of thousands marched in the streets of London demanding a second referendum. There was opposition and May said she would step down if parliament supported her deal to leave. The project failed again and there is no visible way ahead for Britain (Wallenfeldt, 2026).

As the Brexit deadline approached, the administration has routinely asked the EU for extensions. The European Council agreed a flexible extension until 31 October 2019. May wanted to negotiate with Labour and proposed a fresh plan with interim customs arrangements and the possibility of another referendum in parliament. The government resisted these efforts, and on May 24, 2019, she resigned as leader of the Conservative Party (Wallenfeldt, 2026).

Boris Johnson replaced May as Prime Minister vowing to deliver Brexit, deal or no deal. Just before the revised exit date he prorogued Parliament. Which caused political chaos. In October 2019, Johnson secured a new Brexit deal, replacing the Northern Ireland backstop with the Northern Ireland Protocol, placing Northern Ireland under the rule of EU legislation after the transition period (Wallenfeldt, 2026).

Johnson repeatedly called for a general election to boost his power, but the rules of parliament did not allow it. The Conservatives had a landslide election win on December 12, 2019. The party secured 48 seats and a substantial parliamentary majority to give Johnson backing on Brexit. The UK officially exited the EU on 31 January 2020 at 11 pm, ending freedom of movement (Wallenfeldt, 2026).

Brexit negotiations went on while the UK left the EU. Both sides agreed to a trade deal on December 24, 2020, before the transition period ended on December 31. The agreement permitted tariff and quota free trade but had customs and transport administrative duties (Wallenfeldt, 2026).

Post-Brexit tensions persisted. In June 2022 Johnson backed moves to ease restrictions on British to Northern Irish goods. His government said the current arrangements damaged businesses and jeopardised Northern Ireland's political stability. Unionists, above all the DUP, opposed customs checks and said they would not return to the power-sharing government until improvements were implemented. Others, including Theresa May, argued Johnson's policies broke international accords, and may lead to sanctions from the EU. (Wallenfeldt, 2026).

1.2 Why the UK joined and decided to leave the EU ?

The United Kingdom's relationship with the European Union has been shaped by a complex history of economic and political considerations. Initially hesitant to join, Britain's eventual accession in 1973 was influenced by changing economic realities, shifting global alliances, and the desire to maintain economic stability amid declining Commonwealth influence. This background sets the stage for understanding both why the UK chose to join the EU and, later, why it decided to leave.

1.2.1 Why did the UK join the EU ?

According to Campos and Coricelli (2015), Britain was not eager to participate in the European integration process that started in the late 1950s, but the country changed its position in the 1960s. However, French President Charles de Gaulle vetoed the British applications for membership. Finally, the United Kingdom became a member of the European Economic Community (EEC) in 1973, primarily to prevent further economic decline. Although the membership was economically beneficial and brought more stability, Britain joined rather late and in less favorable conditions.

The economic background of the decision was heavily influenced by the post-World War II period. Campos and Coricelli argue that the war had a significant economic effect because of the large-scale destruction and the quick recovery afterwards. Economic historians often describe the period between 1950 and 1973 as the "Golden Age" of European growth. While much of Europe focused on reconstruction, the United Kingdom entered the post-war period in a comparatively strong position. Research by Maddison indicates that in 1945 Britain's per capita GDP was about 90 percent higher than the average of the six countries that later formed the European Union. However, while continental economies benefited from structural reforms, industrial modernization, and increasing economic cooperation, Britain's relative advantage gradually declined. Some historians see the war as an unusual break in the long-run decline of the British economy, while others emphasize the role of European integration, trade liberalization and improved competitiveness in underpinning growth (Crafts, 2012).

As European economies grew more rapidly, Britain became increasingly concerned about the loss of economic and political power. This changing reality encouraged a rethink of relations with Europe by policy makers. Cooperation between European states was also encouraged through the Marshall Plan, which required states to cooperate in order to receive

American aid. Disagreements however emerged over the form integration should take. France favoured a customs union, while Britain favoured a free trade area. According to Sapir (2011), customs unions represented a much deeper level of political integration. The United States supported French proposals for regional cooperation, whereas the British Labour government rejected participation in the European Coal and Steel Community created under the Schuman Plan (George, 1994; Dell, 1995).

Britain's economic position continued to weaken during the 1950s. In 1950, British per capita GDP was 28 percent higher than that of the EU6, but by the time the Treaty of Rome was signed in 1957, the gap had fallen to 15 percent. The attempts to create political and defence unions foundered, but the Treaty of Rome created the European Economic Community and took the process of economic integration further. The Conservative government chose not to join and instead helped establish the European Free Trade Association (EFTA) in 1960. (Coricelli & Campos, 2015).

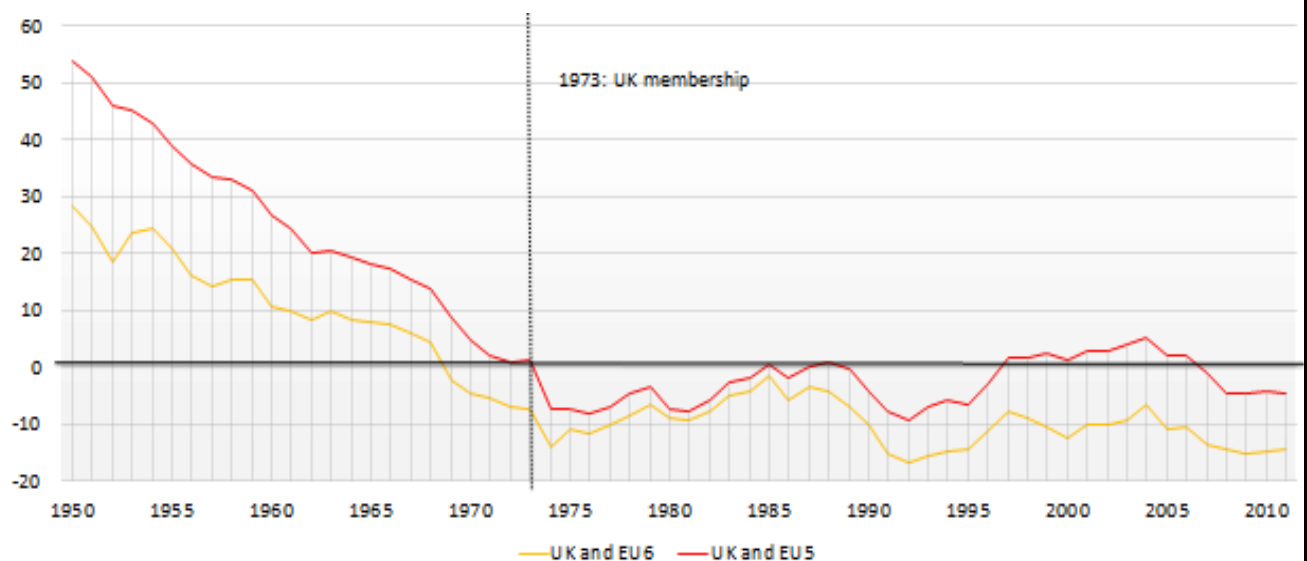
Nevertheless, EFTA proved unable to match the success of the EEC. As Britain's relative economic position declined, the government applied for EEC membership in 1961. De Gaulle vetoed the application in 1963 and rejected a second application in 1967 under Harold Wilson's Labour government. Political changes in France eventually improved Britain's prospects. Following the weakening of de Gaulle's presidency and the rise of Georges Pompidou, British membership gained support. By 1969, Britain's per capita GDP had fallen to slightly below the EU6 average, highlighting the costs of remaining outside the Community. Membership was finally secured in 1973 (Coricelli & Campos, 2015).

Campos and Coricelli further argue that Prime Minister Edward Heath strongly supported European integration. Britain's dependence on imports and the declining importance of the Commonwealth also encouraged accession. This was true of traditional alternatives such as close ties with the Commonwealth and a preference for free trade arrangements, which proved less attractive after decolonization and events such as Indian independence and the Suez Crisis. While membership raised concerns about costs and timing, subsequent research suggests that the economic benefits of EU membership were greater than those of alternative arrangements (Campos et al., 2014).

Ultimately, Britain joined the European project because of the weakening economic influence of the Commonwealth, the limitations of alternative trade arrangements, and the expectation that European integration would promote economic growth. Although Britain's per capita GDP declined from nearly one-third above the EU6 average in 1950 to around 10 percent

below it by 1973, membership helped prevent further relative decline and became a key factor in Britain's economic and political development (Coricelli & Campos, 2015).

Figure 2: Percentage difference between the UK's GDP per capita and EU founding members between 1950 and 2011.



1.2.2 Why did the UK decide to leave the EU ?

Professor Paul Whiteley (2017) argues that the Brexit vote is better understood by systematic analysis of data, rather than assumptions, and the research he and his team have done shows that the decision to leave the European Union was shaped by a mix of social, political and economic factors, which helps to move the discussion beyond simple explanations and allows for a more nuanced understanding of the reasons behind the final result. Many were surprised when British voters voted 52% to 48% to leave the EU on June 23, 2016, and a few months later, on 29 March 2017, Prime Minister Theresa May triggered Article 50, beginning a two-year Brexit negotiation. Paul Whiteley and his co-authors in **Brexit: Why Britain Voted to Leave the European Union** argue that empirical research can explain this outcome, and their investigation draws on over ten years' worth of survey data, along with studies conducted before and after the referendum, and a distinctive survey of UKIP members, which allows for an examination of the underlying social, political, and economic factors that influenced the election results and continue to affect them.

This analysis offers a thorough and unbiased examination of the referendum, and Peter Kellner, the former president of YouGov, noted that the book stands out because it emphasizes evidence and impartiality rather than personal opinions or biases. So, the question of why the people of Britain voted in favour of Brexit can be addressed through Professor Whiteley's view that "Brexit will be a constitutional change that will affect politics and society for years to

come,” and that academics can scientifically analyze how and why this massive change occurred, as he attributes the electorate’s decision to several interconnected factors :

Firstly, membership in the European Union was not delivering results, as Professor Whiteley demonstrates that perceptions of the EU changed significantly over the past decade: if membership delivered a strong economy, protection from crime and terrorism, immigration control, and efficient public services, people supported it, whereas if it did not assist in achieving these objectives or was seen as limiting the British government, they opposed it, and social and economic shifts left many feeling “left behind.”

Secondly, the global financial crisis of 2008 played a major role, as Britain’s failure to recover from the worst recession in 70 years shaped the referendum outcome and left many citizens discontented and unrepresented.

Thirdly, Professor Whiteley identifies the decline of power in the Middle East as a contributing factor, since the Arab Spring, which began in 2010 and involved protests, riots, coups, and civil conflicts across the Middle East and North Africa, led to new waves of migration to Europe, while many people believed that both the UK and the European Commission had managed this issue poorly, and Angela Merkel’s decision to open Germany’s borders effectively bypassed EU regulations, which increased concerns about immigration and made citizens feel they had lost control, leading to fear and anxiety.

Fourthly, austerity policies introduced in response to economic pressures created further dissatisfaction, as although the European Union implemented austerity measures to stabilize economies, these policies caused serious difficulties in countries such as Greece and Italy and slowed recovery in parts of Europe, including the UK, thereby increasing frustration and strengthening Eurosceptic attitudes.

Finally, the Leave campaign benefited from a dual strategy, since Boris Johnson’s official campaign appealed to more traditional conservative voters, while Nigel Farage’s grassroots approach mobilized individuals experiencing economic and social marginalization, and although such internal division normally weakens a campaign, in this case it broadened its appeal and helped secure victory for Leave. (Whiteley, 2017).

So, What will be the consequences of Brexit and the future implications for the United Kingdom?

1.2.3 The Consequences of Brexit

Professor Whiteley (2017) has argued that many of the economic warnings made before the Brexit referendum were overly negative. He writes that George Osborne, then Chancellor of the Exchequer, predicted terrible economic implications lasting until 2030. Whiteley, however, doubts the validity of the economic models used to make such long-term forecasts, claiming they were not accurate enough. He also notes that the UK did not enjoy a boom in economic growth when it joined the European Economic Community in 1973. Instead, growth maintained at a comparable pace. However, studies of EU member states suggest that economic development often slowed following entry. The major exception were a few Eastern European countries, where better growth rates were mainly explained by post-communist economic convergence, rather than EU membership per se. Whiteley says, as a result, that any long-term economic impact from Brexit should be viewed with scepticism.

Other economists also have been looking at the probable economic impacts of Brexit. Dhingra et al. (2017) focus on the dangers of diminished market access and trade disruption, whereas Sampson (2017) focuses on uncertainties about investment and productivity. Whiteley also makes the argument that definitive long term projections are impossible to establish since the total impact will rely heavily on the nature of future relations between the United Kingdom and the European Union (Clarke et al, 2017).

Whiteley also talks about immigration . He distinguishes between migration from the EU , which has been mostly based on free movement , and migration from outside the EU , which has been controlled by visa regimes . His results show that net migration from both groups increased considerably over time and reached similar levels. This means that it may be difficult to reduce EU migration after Brexit, especially given that regulating non-EU migration has been tough in the past. He also observes that EU migrants are more likely to move for work, while non-EU migrants come for a wider array of reasons, including education, family reunification and humanitarian concerns. This means that stricter immigration regulations could affect the migration from both categories (Whiteley, 2017).

This opinion is confirmed by the work of Dustmann et al. (2010) and Portes (2016), who claim that besides the government policies, immigration flows are formed under the influence of several economic and social factors. Their research also emphasizes the significant contribution of migrants to the British economy and public services.

Besides, Whiteley (2017) claims that the British politics has become more divided. The traditional party loyalties have been eroded, the behaviour of voters has become less predictable, and governance has become more complex. These he connects with the growth of populism and the slow demise of the old party structure. Ford and Goodwin (2014) come to similar findings by examining the rise of populist politics in Britain, and Hobolt (2016), who links Brexit vote trends to broader political realignments and unhappiness with traditional political parties.

In conclusion, Brexit was influenced by a mixture of economic, social and political reasons and not one cause. The referendum result was due to media influence, general discontent with EU membership, worries over immigration, the fallout from the 2008 financial crisis, austerity policies, and the tactics of the Leave campaign. Brexit consequently marks not only a highly disputed political decision but also a major turning point with long economic, political and social ramifications for the United Kingdom (Whiteley, 2017; Clarke et al., 2017; Hobolt, 2016; Sampson, 2017).

The following section will therefore examine the referendum and the formal withdrawal process which began the UK's departure from the European Union.

1.3 Referendum and Withdrawal

The United Kingdom's decision to leave the European Union was not a bolt out of the blue, but rather a process that was shaped through a series of political commitments, negotiations and legal steps that ultimately opened the way for a national referendum. Therefore, before describing the specific circumstances and organization of the 2016 vote, it is first required to describe the political context and the main decisions that shaped the road to the referendum and defined its legal and institutional framework.

1.3.1 The referendum on the UK's membership of the EU

Uberoi reveals that the genesis of the 2016 United Kingdom European Union membership referendum is explicable through a sequence of political events and policy choices, as recorded by entities like the UK Parliament and the Electoral Commission, since parliamentary records indicate that Prime Minister David Cameron initially broached the subject of an in-out referendum during his 2013 Bloomberg address, highlighting the necessity of re-evaluating the United Kingdom's standing within the European Union, and this commitment was later included in the Conservative Party's 2015 general election manifesto,

promising a referendum before the end of 2017. According to the House of Commons Library, discussions with EU leaders intensified in 2015, and at European Council meetings the UK government presented its key reform objectives, namely sovereignty, economic control, competitiveness, and migration, which eventually led to proposals for a “new settlement” for the UK announced in early 2016 after negotiations with European officials. (Uberoi, 2016)

The legal foundation for the referendum was then established when the European Union Referendum Act received Royal Assent in December 2015, and in February 2016 the government confirmed the referendum date as 23 June 2016, thereby launching the formal campaign, which included voter information distribution, while official reports and academic analyses agree that these developments formed the institutional and political basis for the vote. With this context established, the 2016 referendum represented the moment when the British people directly decided their relationship with the EU, and on 23 June 2016, according to Elise Uberoi, a nationwide referendum was held asking whether the UK should remain in or leave the EU, resulting in 51.9% voting to leave.

As explained in reports by the House of Commons Library, David Cameron had first mentioned the referendum in January 2013, proposing that a Conservative government elected in 2015 would hold a public vote on EU membership in the following Parliament, and after the election the Conservative government introduced the European Union Referendum Bill 2015–16, which set the referendum deadline for the end of 2017. Regulations introduced in February 2016 confirmed the timing, while the European Union Referendum Act 2015 defined voting eligibility, mirroring UK parliamentary election procedures but with an expanded electorate including eligible Commonwealth citizens residing in Gibraltar and other qualifying categories. Voting took place across designated counting areas, generally managed by local authorities responsible for electoral administration, covering both single-tier and two-tier systems, with results counted in 382 locations (380 in Great Britain, plus Northern Ireland and Gibraltar), while Northern Ireland’s eight counts were combined into a single total, and regional results followed the same eleven counting regions used in European Parliament elections.

Finally, Jenny Watson, the Chief Counting Officer and Chair of the Electoral Commission, officially announced the national result at 07:51 on Friday, as votes from Manchester were still being counted. (Uberoi, 2016)

1.3.1.1 Results :

Elise Uberoi tells us that , The turnout was 72.2%, with 33,577,342 persons voting in the referendum. The Leave vote prevailed by 3.8 percent. (Uberoi, 2016)

The data below display the national vote share and total number of Leave and Remain votes cast. (Uberoi, 2016)

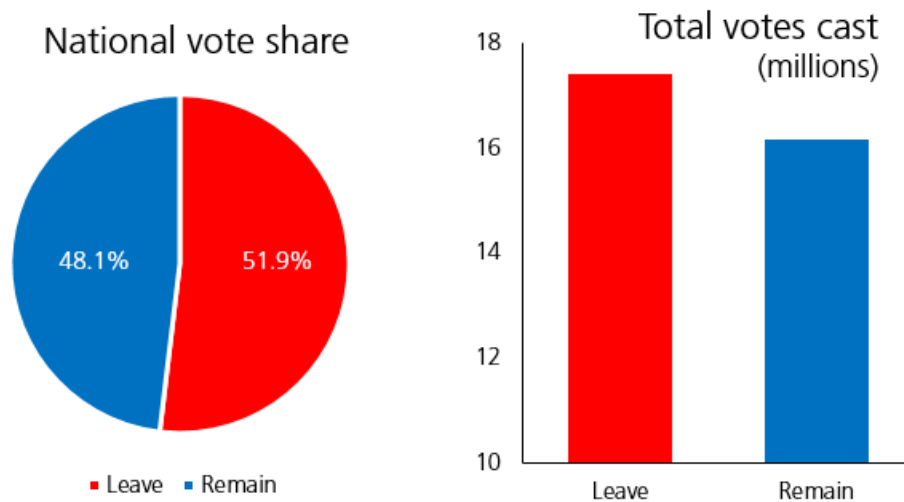


Figure 3: The total number of votes cast, and the national share of the vote, for Leave and Remain.

As reported by Elise Uberoi. The results data published by the Electoral Commission, The votes for Leave and Remain were not fairly spread out across the UK. Leave got the most votes in England and Wales, while Remain got the most votes in Scotland and Northern Ireland. In England, only London had a majority of Remain votes. (2016)

Table 1. The Proportion of the vote across the UK.

	Leave%	Remain%
England	53,4%	46,6%
Wales	52,5%	47,5%
Scotland	38,0%	62,0%
Northern Ireland	44,2%	55,8%

This Data published by the Electoral Commission show that Boston (Lincolnshire) had the largest percentage of votes for Leave (76%). Gibraltar had the largest percentage of votes for Remain (96%).

The results of the referendum showed significant political and regional divisions across the United Kingdom. To understand how this outcome happened, it's important to look at the key events of 2016 that shaped the referendum process and the campaign. (Uberoi, 2016)

1.3.1.2 The Key Events of 2016

The starting point of the United Kingdom's exit from the European Union was the referendum in June 2016 when a majority of the British voters opted for Brexit. The decision dramatically reshaped the political landscape in Britain and started a long and difficult process of negotiations between the U.K. and the EU. (De La Baume, 2016)

In the months after of the referendum, the negotiations rapidly turned to the big concerns of citizens' rights, financial duties and the sensitive subject of the Irish border. These negotiations ultimately led to the Brexit Withdrawal Agreement which set out the terms of the UK's exit and established a transition period.

In conclusion, the Brexit process was much more than just the vote, and showed how difficult it is to turn a political decision into a binding international legal agreement (De La Baume, 2016)

1.3.2 The withdrawal agreement

The Council of the European Union states that the United Kingdom decided to exit the European Union in the referendum held on 23 June 2016 after 43 years of membership. The UK officially notified the EU of its separation on 29 March 2017, and formal Brexit discussions between the EU and the UK started on 19 June 2017. To secure an orderly Brexit , both sides discussed the conditions of withdrawal , the transition period and the foundation for future EU - UK relations between 2017 and 2019 . The Withdrawal Agreement comes into force on 1 February 2020, following the UK's exit from the EU on 31 January 2020. (Council of the European Union, s.d.)

The Withdrawal Agreement, official EU sources stated, formed the legal framework that governs the UK's exit from the European Union and the future relationship between the two sides. The agreement contained provisions on citizens' rights, separation issues, the transition time, financial arrangements and particular protocols relating to Ireland, Cyprus and Gibraltar. It secured the rights of EU nationals residing in the UK and UK citizens living in EU member states, guaranteed legal continuity for goods and judicial procedures and put in place a transition period from 1 February to 31 December 2020 during which the UK continued to implement EU regulations. The deal also contained financial pledges and unique mechanisms to prevent a hard border on the island of Ireland while maintaining the Good Friday Agreement and the EU Single Market. (Council of the European Union, s.d.) (European Commission, 2024)

In addition, the Council of the European Union state that the Windsor Framework amended the Protocol on Ireland/Northern Ireland in the Withdrawal Agreement. The framework was officially adopted on 24 March 2023 and implemented on 1 October 2023, with the purpose of resolving challenges resulting from the original agreement, and averting a hard border on the island of Ireland. It brought in simpler customs procedures, new VAT and excise arrangements, less checks on agri-food items, better access to pharmaceuticals in Northern Ireland and clearer regulations on state aid and pet travel between Northern Ireland and Great Britain. (Council of the European Union, s.d.)

Moreover, Brexit has also led to substantial institutional changes in the European Union. As part of the Brexit process the European Medicines Agency was transferred from the UK to Amsterdam and the European Banking Authority was transferred to Paris after a selection procedure among EU member states. These re-locations mirrored the broader political, legal and administrative changes emerging from the United Kingdom's departure from the European Union. (Council of the European Union, s.d.)

1.3.2.2 Key moments in Brexit process

Agence France-Presse (AFP) States That Brexit was a long , politically fraught process that started with the June 23, 2016 referendum in which 52% of British voters voted to leave the European Union after more than four decades of membership, and fundamentally altered the UK's political and constitutional landscape. The unexpected result of the vote resulted in the resignation of Prime Minister David Cameron, who was a vocal advocate of staying in the EU, and placed Theresa May in charge of overseeing the exit. May's aim of a "clean break" from the EU, including leaving the single market, was spelt out in January 2017. Parliament then gave her the right to invoke Article 50, thereby starting the exit process on 29 March 2017. But the talks immediately became more difficult because of internal political disagreements, especially over commercial connections and the sensitive subject of keeping the border open between Northern Ireland and the Republic of Ireland. (2018)

May's 2017 decision to hold a snap election further damaged her government when the Conservative Party lost control of the parliamentary majority and became dependent on the Democratic Unionist Party. The divides in government grew even after agreeing with the EU on the main points of exit and passing legislation to bring EU law into British law. The resignations of senior leaders such as David Davis and Boris Johnson reflected a growing discontent with the path of the negotiations and exposed the significant divisions over the future relationship with the European Union. Thus Brexit was much more than a mere departure from

the EU, it was a major political crisis which redefined governance, tested the stability of government and ignited wider arguments about sovereignty, devolution and regional autonomy inside the United Kingdom. (AFP, 2018)

1.4 Key Concepts

This section explores the fundamental ideas that underpin the study, focusing on how concepts such as Brexit, devolution, sovereignty, and regional autonomy interact and shape political dynamics in the UK. Understanding these interconnected concepts is essential to grasp the complexities of constitutional change and national identity in contemporary Britain.

1.4.1 Sovereignty

This study is based on four interconnected concepts: Brexit, devolution, sovereignty, and regional autonomy .

Nicola McEwen defines sovereignty as basic political authority. Throughout most of the twentieth century, the prevalent conception of sovereignty equated the nation-state with supreme authority within its territory and freedom from outside intervention. Modern sovereignty has a legal and a political aspect. The United Kingdom sees parliamentary sovereignty as the primary law-making authority of Parliament and is commonly perceived as a legal norm (Loughlin & Tierney, 2018). Sovereignty, at the same time, is also predicated on the notion of the “people” or “nation” that provides the political basis for governing institutions. Nationalism was key in integrating these legal and political dimensions, buttressing a common sense of identity and belonging which legitimated both domestic power and independence from external influence (Grimm, 2015; Tierney, 2005; Yack, 2001).

The classic “Westphalian” concept of sovereignty, which understands the nation-state as the major source of authority, remained prevalent throughout the twentieth century despite criticisms of its failure to adequately reflect the historical exercise of political power (Osiander, 2001). In multinational states, however, such as the United Kingdom, the presence of several nationalities with divergent political objectives can complicate sovereignty claims grounded in a singular national identity. The Diceyan ideology of parliamentary sovereignty emphasised the importance of centralised authority but this paradigm has been challenged by political and constitutional developments.

Globalisation, supranational governance and international human rights norms have helped produce new understandings of sovereignty (Philpott, 1995; MacFarlane & Sabanadze,

2013). Walker (2013) argues that the decline of state power in global governance has altered sovereignty as a legal notion and political claim. Similarly, MacCormick (1999) claims that European integration has generated a kind of “post-sovereignty” in which states share power without losing their independence altogether. While the member states of the EU recognised legal and political limits, the European Union itself did not become sovereign in the same sense as a nation state (Grimm, 2015). Rather, collaboration within the EU has served to increase the power of member states by providing a means through which they can act collectively on the world stage (MacCormick, 1999).

These ideas gave rise to new forms of shared sovereignty, particularly in multinational states. Sub-state nationalist organisations increasingly sought structures which separated authority across levels of government. Constitutional reforms, such as devolution and federalism devolved decision-making authorities, but other nationalist movements sought independence, while remaining within wider political and economic frameworks. Examples include Scotland, Catalonia, Quebec and Puerto Rico, where sovereignty has often been framed as interwoven within wider regional and international ties (Lluch, 2014; McEwen and Brown Swan, 2021). Such approaches often require to keep links with the old state while being members of structures such as the EU, NATO or international trade blocs.

These theories stress common sovereignty, while contemporary political developments reinvigorate demands for territorially restricted state sovereignty. The Brexit slogan “take back control” was an expression of a rising backlash against European integration, globalisation, and transnational migration. These movements highlight the significance of borders as symbols of national power and identity (Blü & Butzlaff, 2019; Kallis, 2018). Brexit thus revealed a fundamental contradiction between the conventional nation-state paradigm of sovereignty advocated by Brexit supporters and the shared sovereignty model that has underpinned Scottish self-government and ambitions for independence. The disagreement is crucial to the arguments on the future constitutional relationship between Scotland, the United Kingdom and Europe. (McEwen N. , 2022)

1.4.2 Brexit

According to Wallendfeldt, the United Kingdom officially left the European Union on January 31, 2020. The term “Brexit” is a combination of “British” and “exit,” reflecting the country’s decision to leave the EU. On June 23, 2016, 52% of British voters chose to withdraw from the Union, making the UK the first country to take such a step. Following the formal request to leave in March 2017, it took nearly two years to finalize the terms of this separation.

In July 2019, Prime Minister Theresa May resigned after Parliament rejected the Brexit deal she had negotiated with the EU. Her successor, Boris Johnson, ultimately succeeded in completing the Brexit process.

Nicola McEwen points out that before exploring Scottish self-government, it is important to understand how the concept of sovereignty evolved during Brexit and the new political possibilities it created. The landmark Supreme Court ruling in the Miller case led the UK government to concede that Parliament should have a limited but formal role in Brexit negotiations and agreements (Eeckhout, 2020; Elliott et al., 2018). This case also highlighted the differing views on sovereignty and authority between the UK Parliament and the devolved governments.

The departure from the EU and the shedding of external regulatory frameworks have brought greater clarity to some ambiguous aspects of the UK's territorial constitution, particularly in relation to Scotland, Wales, and possibly Northern Ireland. Unlike other Brexit-related legislation, the UK Internal Market Act was passed without the consent of the devolved parliaments and notably restricted the powers and regulatory competence of those devolved institutions. McEwen further notes that Brexit has exposed these constitutional tensions more sharply.

Looking ahead, the nature of the UK-EU relationship is set to change significantly. If regulatory harmonization remains necessary to facilitate border crossings between the UK and the EU, as well as between Great Britain and Northern Ireland, then a future independent Scotland might experience a smaller regulatory divide at its border with England. (McEwen N., 2022)

1.4.3 Devolution

Devolution, based on Charles Hauss, is the transfer of power from the central government to regional, state, or municipal administrations. However, in unitary nations ultimate authority still rests with the central government. Devolved powers can be taken away by ordinary legislation and they do not turn a unitary state into a federal one.

While many states have historically trended toward centralisation, the late twentieth century was characterised by a broad trend toward decentralisation in both federal and unitary systems. In the US, advocates of states rights pushed for more independence from federal

authority, while countries such as France in the 1980s and the UK in the late 1990s carried out major devolution changes.

In the Scottish context, Nicola McEwen argues that the home rule movement has traditionally advocated the idea of popular sovereignty but rejected Westminster's doctrine of parliamentary sovereignty, which is widely seen as an English-centric paradigm (Jackson, 2020; Mitchell, 1992). The Claim of Right, by the Scottish Constitutional Convention, specifically recognised that the Scottish people had a sovereign right to establish their own political system (Mitchell, 2014).

One notable constitutional development was the establishment of the Scottish Parliament following the 1997 referendum. Legal sovereignty still lies with the UK Parliament. This created a kind of joint sovereignty where the 'power-generational' aspect of sovereignty is distributed between Westminster and devolved institutions (Loughlin & Tierney, 2018).

This was further strengthened by the Sewel Convention which stated that the UK Parliament would not typically legislate on devolved areas without the permission of the Scottish Parliament. This framework provides a model of shared sovereignty in cooperation, but it differs from past constitutional disputes that have arisen between the UK's central and devolved governments, argues McEwen.. (McEwen N. , 2022)

1.4.4 Regional Autonomy

As demonstrated by Fiveable Content Team Regional autonomy is the degree of self-rule that a region in a sovereign state possesses. This means that the region can decide on its own things like transport and education without the central government getting involved. It is a way for the central government to give up some of its power so that different parts of a country can better meet their needs and wants. As shown by Nicola McEwen Scottish independence debates have also involved shared sovereignty. Since its 1975 referendum opposition, the Scottish National Party (SNP) has steadily favoured EU membership and made 'independence in Europe' its main geographical goal since 1988.

These shared sovereignty views were reflected in SNP government statements and documents before the 2014 independence referendum. The 2007 publication *Choosing Scotland's Future* emphasised that 21st-century independence for Scotland will reflect existing and developing interdependence, including partnership across Europe (Scottish Government, 2007, p. 24). The white paper *Scotland's Future* proposed independence within the EU and a new 'partnership of equals' with the UK.

Brexit also emphasised Scotland's European character. "EU membership has become a very important part of Scotland's identity," Sturgeon said. Brexit adds more practical problems, making it harder to find common ground on different views of sovereignty on the same island. Borders go beyond geography and bureaucracy. Mental boundaries important (Gormley-Heenan & Aughey, 2017). Brexit has created a Scotland-Europe border that independence may open. (McEwen N. , 2022)

Conclusion

In conclusion, this chapter has shown that Brexit was the outcome of a complicated history of political and economic variables that influenced the United Kingdom's relationship with the European Union over many years. It also underlined the significant constitutional concerns Brexit posed for sovereignty, devolution and regional autonomy. Such concerns revealed the rising tensions in the UK and the varied political outlooks of the devolved nations. Against this foundation, the following chapter will assess the effects of Brexit on Scotland, Wales and Northern Ireland and the effect on devolution in political, economic and constitutional terms.

Chapter 02: The Impact of Brexit on Devolution

Introduction

This chapter discusses the difficult structural and political shifts that have been profoundly reshaping the United Kingdom's devolution arrangement in the wake of Brexit. The UK's departure from the European Union has not taken a smooth or harmonised course, but has become an exceptional challenge, often called a "stress test", which has exposed and worsened the deep asymmetries in the UK's constitutional structure (Jeffery, 2021).

Brexit has resulted in a fundamental and complex reconfiguration of the balance of power between central government at Westminster and devolved governments in Scotland, Wales and Northern Ireland. One of the key ingredients in securing a balanced intergovernmental system has been the common legal framework that has ensured a shared relationship across Europe. This ongoing process is altering the interactions and governing structures across the UK, producing both new opportunities and heightened tensions .

2.1 Scotland: Autonomy and Independence Debates

Brexit has been a major "constitutional shock" for the UK, upsetting the delicate balance set up in the 1998 devolution settlement. The model was originally based on a solid, multi-layered governance system. However, the 2016 referendum challenged this, revealing the intrinsic fragility of the "consent-based" structure of the Union (Eve Hepburn, 2020). (Hepburn, 2020)

In Scotland, where 62% of voters decided to remain in the EU, Brexit was practically an act of disregarding the democratic will of one of its constituent nations. This has resulted in what legal expert Michael Keating calls a "collision of sovereignties" as the devolved Scottish Parliament in Holyrood comes into conflict with the overriding idea of parliamentary sovereignty seated in Westminster. The dispute over autonomy has been escalated from a mostly administrative issue to a serious existential threat by the act of taking Scotland out of the European Single Market against the democratic will of the people. This tension is at the heart of the UK Internal Market Act (IMA) 2020

Aileen McHarg (2020) describes the IMA as a 're-centralisation of authority' and its provisions on mutual recognition and non-discrimination effectively curtailing Holyrood's ability to impose a different set of standards to those in London. This development, alongside the regular circumvention of the Sewel Convention, has undermined notions of a 'partnership of equals' within the Union. (McHarg, 2020)

The UK government has also moved away from a more federal state model by acting on devolved issues without getting legislative consent motions (LCMs). This, in turn, has given fresh impetus to the Scottish independence movement as a way of taking back the “lost agency” of its devolved institutions.

2.1.1. The "Material Change in Circumstances"

Supporters of the Scottish National Party (SNP) and Scottish independence say the United Kingdom’s departure from the European Union is a big “material change in circumstances.” It says the conditions that led Scots to choose to remain in the UK in the 2014 referendum have changed out of all recognition and without their consent. At the time, the unionist "Better Together" campaign argued that Scotland could only be guaranteed continuing EU membership by remaining in the UK. But the Brexit process has reversed that certainty and has exacerbated a “democratic deficit” within the devolution system. Scotland has been pulled out of the European Single Market and Customs Union, contrary to its majority vote to stay, showing up the weaknesses of the devolved government structure.

Nevertheless the Brexit process has reversed that certainty and has exacerbated a “democratic gap” within the devolution system. Scotland has been pulled out of the European Single Market and Customs Union, contrary to its majority vote to stay, showing up the weaknesses of the devolved government structure.

The ‘reserved powers’ approach of the Scotland Act was previously regarded a robust compromise, but now it is seen as increasingly restricted, functioning more as a ‘ceiling’ than a ‘shield’ (McEwen, 2021). The UK Parliament at Westminster is now able to push through major policy changes, such as the UK Internal Market Act 2020, against the will of the Scottish Parliament. With this, the independence question has become a broader matter of democratic integrity, rather than a policy issue. (McEwen N. , 2021)

The question is, therefore, whether Scotland accepts a subordinate place in a more centralised UK or seeks independence in order to restore its international status.

2.1.2. The UK Internal Market Act 2020 (UKIM)

Constitutional tensions between Edinburgh and London have crystallised around the UK Internal Market Act (IMA) 2020, a substantial change in the internal dynamics of the United Kingdom. (McEwen N. , 2021).

Before Brexit, EU legislation had provided a unifying "common framework" for harmonising trade regulations, environmental policies and food safety requirements across all

four UK states. This broad European legal framework rendered individual national legislation on internal trade generally unnecessary, as the compliance was regulated at the supranational level.

But with this framework removed the UK government formed the IMA, ostensibly to guarantee “seamless trade” and avoid economic barriers between its own regions. But the Scottish Government sees the Act as a calculated "power grab" by Westminster. The crux of this debate is how the Act reconfigures the practical operation of devolution.

The principles of mutual recognition and non-discrimination mean that if a good or service is allowed in one part of the UK (mostly England) it has to be accepted in Scotland, even if it does not meet Scotland’s different regulatory requirements.

This has generated a “secondary Brexit” in the UK’s internal governance, eroding the authority of the Scottish Parliament, argue Paun and Nice (2020). Critics say that in practice the IMA greatly reduces the extent of Holyrood’s devolved powers, even if in theory they may still exist (Paun A. &, 2020).

The Act bypasses the democratic authority of the devolved administrations by allowing Westminster to set what some have called a 'lowest common denominator' for the UK-wide market, and imposes centralised market priorities over regional decisions. (Court, 2021).

- **The Mutual Recognition Principle:** Mutual recognition offers a strong foundation of regulation which severely restricts Scotland’s ability to legislate differently from the rest of the United Kingdom. This mechanism established under the UK Internal Market Act (IMA) 2020 requires that items legally manufactured or imported into any part of the UK, notably England, must be allowed to be sold in all countries.

This poses a structural challenge for the Scottish Parliament: if Holyrood wants to implement higher standards for environmental protection or public health, for example, stricter bans on single-use plastics or more demanding food labelling regulations, these measures cannot be applied to goods coming from England (Dogan, 2020).

This results in a competitive imbalance in which Scottish producers have to keep up with more expensive domestic regulations and compete with goods made to lower standards.

Dogan (2020) suggests that this scenario effectively puts pressure on Scotland to agree with Westminster’s regulatory structure in order to defend Scottish companies. This economic pressure creates what is called a ‘chilling effect’ on policy innovation, in which

Scotland's formal legislative capabilities are hampered by practical limits. These issues have resulted in what scholars have referred to as the 'hollowing out' of delegated autonomy in the face of market homogeneity rather than localised decision-making authority. (Dougan, 2020).

- **Erosion of Competence:** The United Kingdom Internal Market Act (IMA) of 2020 is seen by critics and legal experts as a major reduction of the legislative powers given to the devolved administrations and a systematic "hollowing out" of the powers originally established in the Scotland Act of 1998 . (McEwen N. , 2021)

Central to this claim is the adoption of what has been described as a 'de facto veto' - a mechanism which would allow the UK government to override the legislative powers of the Scottish Parliament. This is achieved not by the obvious nullification of Scottish legislation, but by the maintaining of relatively lower standards of regulation in England. The Act's concept of mutual recognition means these smaller standards have to be accepted in the Scottish market, rendering Holyrood's higher regulatory frameworks economically unviable.

This is a major break from the original idea of 'genuine devolution' in which Scotland had a constitutionally mandated capability for distinction. The UK, by contrast, seems to be heading toward a more centralised form of governance, with the basic spirit of the 1998 devolution settlement being eroded by economic necessity and the imposition of overarching trade rules of an almost federal type emanating from London (Paun A. &., 2020)

In effect, the UK government has adjusted constitutional dynamics by giving precedence to the smooth functioning of the internal market rather than the preservation of regional policy discretion. Devolution, historically characterised by its separate and independent domains of legislative authority, is now reconceptualised as a subordinate regime. Regional innovation is tolerated only to the extent that it does not contradict the functional imperatives of a unified central market schema.

2.1.3. The Legal Battle for IndyRef2

The constitutional argument took a judicial turning point in 2022 with the final decision of the UK Supreme Court in the case referred by the Lord Advocate. It ruled that the Scottish Parliament did not have the power to legislate unilaterally for a second independence referendum without the express consent of Westminster.

Tierney (2024) noted that this was a rigorous textual reading of the Scotland Act 1998. The court said a referendum on independence “relates to” the Union – an issue reserved only for the UK Parliament therefore any attempt by Holyrood to hold such a poll is ultra vires. As Tierney points out, this legal roadblock has transferred the discussion away from the political world and into a rigid framework of constitutional deadlock . (Tierney, 2024).

This judgement has had important repercussions for the understanding of the concept of “voluntary union”. The United Kingdom was widely characterised for decades as a partnership entered into voluntarily, implying an attendant right to depart.

But, as McHarg (2023) argues, in maintaining Westminster’s exclusive power to withdraw, the Supreme Court weakened the language of a “partnership of equals”. McHarg further suggests that this legal reality undermines the consensual basis of the Union and transforms it into a more centralised unitary state in which devolved institutions become ‘delegated authorities’ rather than sovereign organisations. In reaction to this transition, the independence movement has moved away from the economic case for separation and into the more intense debate over national self-determination and the democratic right of a sub-state to decide its constitutional future for itself. (McHarg, 2023)

2.2 Wales: Political and Economic Consequences

The Welsh independence movement, led mostly by Plaid Cymru, has long been eclipsed by the more vocal Scottish movement for self-determination.

But the post-Brexit world has brought about a distinct change in Welsh political debate. As Wyn Jones (2020) points out, the constitutional debate in Wales has historically been more about consolidating and extending devolution than about arguing for full secession. The 2016 Brexit referendum and the ensuing exit from the European Union threw this delicate balance off kilter , with major economic and political ramifications . Wales was a big net recipient of EU structural funds and lost a lot of money when the EU help was withdrawn, leaving a financial gap and a feeling of neglect from Westminster. (Wyn Jones, 2021) .This economic uncertainty, coupled with what academics term the UK government's "muscular unionism," has catalyzed an unprecedented wave of constitutional introspection.

Wyn Jones (2021) highlights the rise of grassroots initiatives like YesCymru, which signal a growing belief that the current Senedd system falls short in protecting Welsh interests against Westminster's centralizing policies. Consequently, the debate in Wales has expanded beyond cultural identity to encompass pressing concerns about economic sustainability and political sovereignty. (Wyn Jones, 2021)

Critics and constitutional experts have attacked initiatives like the UK Internal Market Act (IMA) 2020, and centralised "Levelling Up" funding methods that frequently override Senedd power. The initiatives are considered as calculated attempts to weaken devolved

This has generated a growing wave of devolution-minded voters who are now starting to see independence not only as a nationalist dream, but as a practical way to protect Welsh assets and political autonomy from an encroaching UK state.. (Wales. I. C., 2024)

2.2.1. Political Consequences: The Rise of "Indy-Curiosity"

The post-Brexit political landscape in Wales has engendered a significant shift, epitomized by the emergence of what can be termed "indy-curiosity."

As articulated by Anderson (2021), this phenomenon is a pragmatic re-assessment of citizens formerly accepting the current constitutional framework, now considering independence to be a rational response to the overall instability affecting the United Kingdom. The development does not seem to be a rebirth of conventional nationalism, but a predisposition towards a "radical devolution". More and more of the Welsh electorate is starting to regard the current constitutional settlement as increasingly fragile and ill-suited to the difficulties of modern government. (Anderson, 2024) .

At the core of this instability is what Evans (2021) describes as the 'Jagged Edge' of devolution – a design that captures the inconsistent, connected and often unclear separation of powers between the Senedd and Westminster. As Evans (2021) puts it: 'This is fundamentally unacceptable and leads to ongoing tensions in legal frameworks as Welsh policy ambitions often crash into the restrictions of the Government of Wales Act. This structural conflict practically stops the Senedd from exercising independent policy-making authority, as it is symbolically bound by significant limits, especially in "interfaced" domains such as justice, infrastructure for rail transport, and social security,

As Evans (2021) puts it: 'This is fundamentally unsustainable and leads to ongoing tensions in legislation as Welsh policy aspirations often crash into the restrictions of the Government of Wales Act. This structural disharmony practically precludes the Senedd from exercising autonomous policy-making authority, as it is symbolically bound by significant limits, especially in "interfaced" domains such as justice, infrastructure for rail transport, and social security, (Evans, 2021).

Consequently the context of political discourse in Wales has moved from a more abstract concern with national identity to a practical consideration of political autonomy and agency. A

central question in this examination is the viability of Wales without sovereign control of its own governing systems. This view developed and was formally recognised with the setting up of the Independent Commission on the Constitutional Future of Wales

By opening up the possibility of independence, ‘enhanced devolution’ and ‘federalism’ as options for change, the European Commission has taken the idea of a Welsh state into mainstream politics. This rethinking situates independence as an aspirational goal but also as a pragmatic answer to long-standing constitutional instability and democratic accountability weaknesses and has so contributed to meaningful discourse of the future of Wales (Wales. I. C., 2024)

- **The Independent Commission on the Constitutional Future of Wales**

In its final report, published in 2024, the Independent Commission on the Constitutional Future of Wales, established by the Welsh Government as an iconic effort to consider the future of the nation in a post-Brexit UK, reached a clear conclusion: the way things are is not an option in the long run. (Wales, 2024).

The Commission, chaired by Professor Laura McAllister and Dr. Rowan Williams, carried out an in-depth review of the constitutional arrangements of Wales and concluded that the existing structures are “too fragile” to provide adequate protection of Welsh interests as the concentration of power in London continues to increase. One important feature of the report was that it represented a period of ‘intellectual equalization’ in which independence was presented as one of three ‘sustainable and viable’ possibilities for the future of Wales.

McAllister and Williams (2024) postulate that independence is now on the same footing as “enhanced devolution” and a “federalised UK” as valid routes forward. This legal recognition has moved the idea of Welsh independence from the margins of political discussion to the centre of mainstream governance debates. By legitimising independence as a possible reaction to the apparent “vulnerability” of the Senedd, the Commission has effectively proclaimed that the constitutional framework constructed in the late 1990s has become “unsettled.” This transformation represents a crucial turning point in the future of the Union, indicating that it will now depend on a choice between comprehensive reform and ultimate disintegration (McAllister, 2024).

- **Divergent Governance and the Justice Gap**

Alongside these broad constitutional discussions about the limiting framework of 'reserved powers', there has been significant struggle, particularly the clear absence of Welsh power over justice and policing. Wales is still part of the uniform legal system of “England and Wales”, as defined in the Government of Wales Act (2006), unlike Scotland and Northern Ireland which have separate legal systems. (Wales, 2024).

The Thomas Commission (2019) underscores that this lack of judicial autonomy impedes a comprehensive and integrated approach to social policy. It results in a "justice gap," wherein devolved functions such as health and social services are structurally misaligned with the reserved domains of courts and prisons. This issue has gained renewed prominence in recent discourse, with Welsh political leaders emphasizing that, without the devolution of justice powers, the Senedd is relegated to addressing the consequences of social challenges without the requisite legal authority to tackle their root causes (Wales. C. o., 2019) .

Consequently, the battle for jurisdictional control, reflected in discussions of the “policeman’s baton” and the judicial gavel, has become symbolic of larger tensions between a Welsh Government eager to pursue innovative governance and a Westminster Parliament determined to retain centralised authority (Owen, 2021).

2.2.2. Economic Consequences: Funding and the "Internal Market"

Wales faces certain unique and major economic issues, many of which are a legacy of the way in which it became part with the English economy and a history of reliance on Structural Funds from the European Union. For decades, places like West Wales and the Valleys, for example, were among the biggest per-head winners of European development assistance, which was specifically designed to promote economic rebirth. But with the end of these gifts after Brexit, the UK Shared Prosperity Fund (UKSPF) has emerged as a problematic alternative mechanism (Hunt, 2022).

Furthermore, the enactment of the UK Internal Market Act (IMA) in 2020 has also changed the Welsh economic landscape by creating a centralised regulatory framework. The Welsh Government claims that the delivery of these funds to local councils through Westminster rather than the Senedd is a deliberate strategy to undermine Wales’ development goals (Hunt, 2022).

As Wyn Jones (2020) notes, the IMA’s principles of mutual recognition put Wales at a serious disadvantage in seeking policy divergence in areas where trade with England would be

disrupted, given the intertwined nature of the Welsh and English economies, with integrated supply chains and high levels of cross-border worker movement.

As a result, the Act essentially limits the Welsh Government's use of its devolved powers for specific economic or environmental purposes, since there is a need to remain generally aligned with England in terms of regulation. (Wyn Jones, 2021).

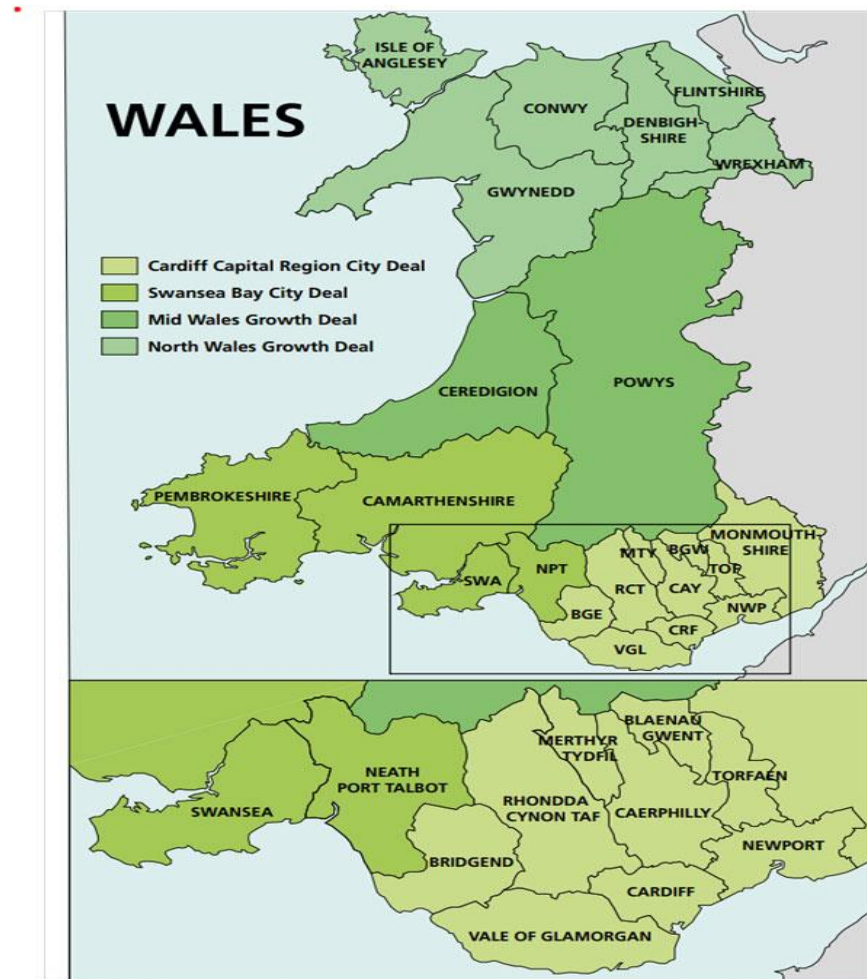


Figure 4: UK Government Funds for Regional and Local Economies Growth Deals (Committee, 2019)

Critics argue this creates a "race to the bottom," where Wales is unable to implement its own unique economic or environmental innovations if they are perceived as barriers to the wider UK market.

This has resulted in an increasing sense of economic vulnerability, where the absence of sovereign financial controls means that Wales remains a “branch-plant economy”, vulnerable to policy moves in London that may not reflect the distinctive industrial demands or social values of the Welsh people (Wyn Jones, 2021).

- **The Shared Prosperity Fund (SPF):** Northern Ireland is one of the most difficult issues to arise from the Brexit agreement. The region is in a special situation, being part of the internal market of the UK as well as the European Union's Single Market for goods under the terms of the Windsor Framework. (Hayward, 2021).

According to Hayward (2021), although this "dual-market" access can potentially stimulate economic opportunities, it also exacerbates a "democratic deficit," as Northern Ireland is compelled to adhere to EU regulations without having representation or voting rights within EU decision-making bodies. This hybrid positioning has significantly heightened tensions surrounding the so-called "Irish Sea border."

Murphy (2020) notes that commercial checks between Great Britain and Northern Ireland are increasingly regarded by unionist areas as damaging the constitutional relationship between the two. Brexit has resulted in Northern Ireland distinctly "differentiated" and created a fragmented dynamic inside the United Kingdom, effectively creating a multi-speed Union and major challenges to the integrity of a unified British state (Murphy, 2020)

Infrastructure and Connectivity: Strategic infrastructure has become a symbol of economic variations in the Union, in particular with the HS2 rail project. In practice, while marketed as an effort for "England and Wales", the lack of physical infrastructure in Wales means its benefits are mostly limited to England.

Llewellyn (2021) records the important financial implications of this categorisation. Wales is not categorised as "England-only" and so does not receive consequential money through the Barnett Formula that it would have been entitled to. This feeling of being 'short-changed' has helped to feed rising fears that the economic Union is no longer working for Wales . (Llewellyn, 2021).

Wincott (2021) argues that HS2 is an illustration of how the existing financial system means that Westminster can concentrate its investment on English infrastructure and neglect Welsh spending (Wincott, 2021). Since then the inequalities led to calls for a comprehensive rethink of the way resources are distributed across the UK. (Wincott, 2021).

2.3 Northern Ireland: Border Issues and the Windsor Framework

Northern Ireland is the most challenging of the devolved areas for the post-Brexit devolution system because of its unique and complicated location. It has "dual-status", being part of the UK's customs territory and adopting rules from the EU Single Market for goods .

As Phifer (2021) describes, this was designed to prevent a “hard border” on the island of Ireland and to protect the Good Friday Agreement. But, as Phifer also observes, it has established a regulatory border in the Irish Sea, further complicating Northern Ireland’s constitutional and economic relationship with the rest of the United Kingdom. (Phifer, 2024).

2.3.1. The Evolution from the Protocol to the Windsor Framework

The shift from the original Northern Ireland Protocol to the Windsor framework is a difficult diplomatic balancing act between different goals. The 2021 Protocol, even with preventing a ‘hard border’ on the island of Ireland, accidentally brought into existence a regulatory border in the Irish Sea. This revelation drew much anger from the Unionist community as they saw this as a threat to the constitutional integrity of the UK (Phifer 2021). This tension resulted in the Democratic Union Party banning the Stormont Executive, and Northern Ireland being without an operating devolved government for a long period of time.. (Phifer, 2024)

- **The Windsor Framework (2023): A Dual-Lane System**

To break this deadlock , the Windsor Framework was introduced in 2023 as an entirely new look that would " fix " the friction areas of the Protocol . The heart of the deal was the development of a dual-lane system to differentiate between different kinds of trade (Schiek, 2023).

The “Green Lane” means items chosen primarily for Northern Ireland can flow with minimal paperwork and practically no physical checks, therefore re-integrating the territory into the UK internal market for common consumer goods.

The “Red Lane” still exists for goods that are at danger of transiting from abroad into the Republic of Ireland (and consequently the EU Single Market), requiring complete customs declarations and severe checks. This distinction was intended to bring together the EU’s need for market protection and the Unionists’ demand for freedom in UK trade within the Union. (Schiek, 2023).

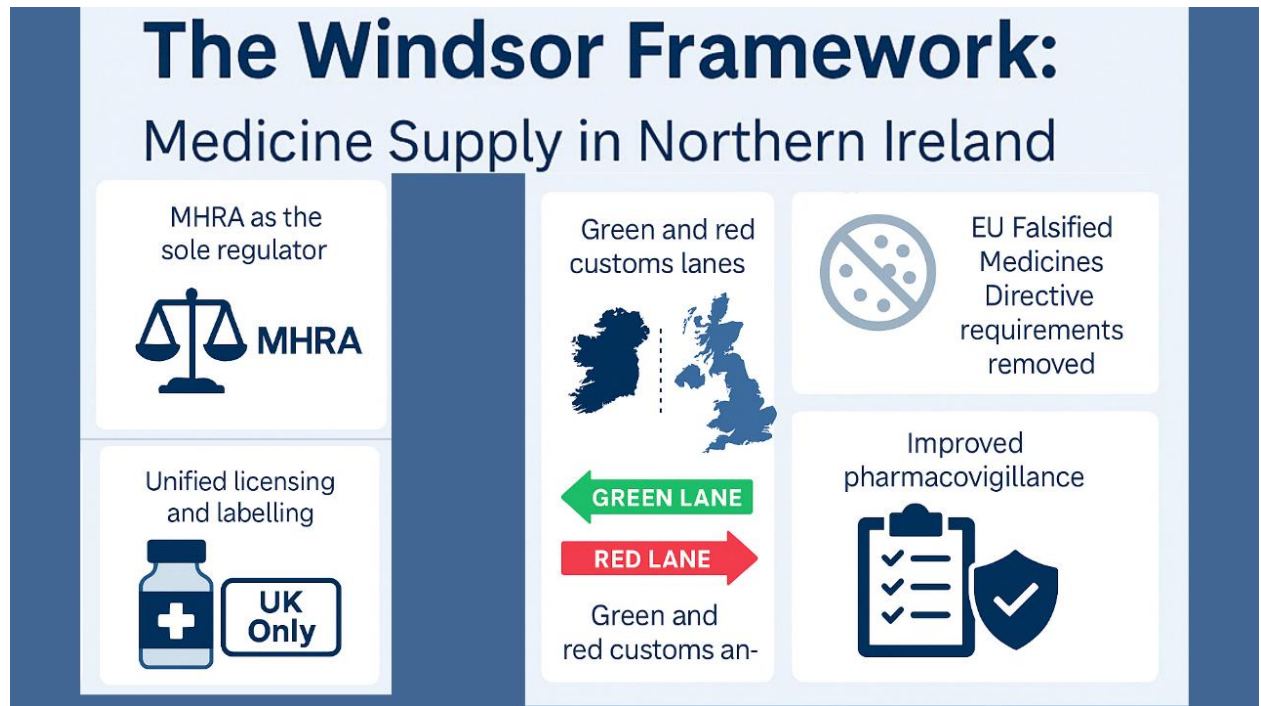


Figure 5: The Windsor Framework (2023) (Muragundi, 2025)

- **The "Stormont Brake": A New Constitutional Safeguard**

One of the most interesting political developments in the Framework is the Stormont Brake. As McHayward (2025) emphasises, this constitutional device addresses the “democratic deficit” by providing the Northern Ireland Assembly with a direct involvement in the implementation of fresh EU goods rules. If there is strong resistance from at least two parties, with 30 members, they can activate the Brake, which would mean the UK government has to consider rejecting the law’s application in Northern Ireland

The Brake is a tool of last resort but it is an essential safeguard of independent sovereignty. This “democratic hook” is supposed to restore the balance created by the Good Friday Agreement (McHayward, 2025). It means Northern Ireland is not a passive recipient of new legislation but actively engages with the complicated realities of the post-Brexit period (McHayward, 2025).

2.3.2. The 2024 Democratic Consent Vote and Beyond

December 2024 marked a significant period when the Northern Ireland Assembly conducted its initial ‘Democratic Consent’ vote. While the majority of Legislative Assembly members (MLAs) supported the retention of the Windsor Framework’s regulatory measures, the vote revealed differences hidden under the surface.

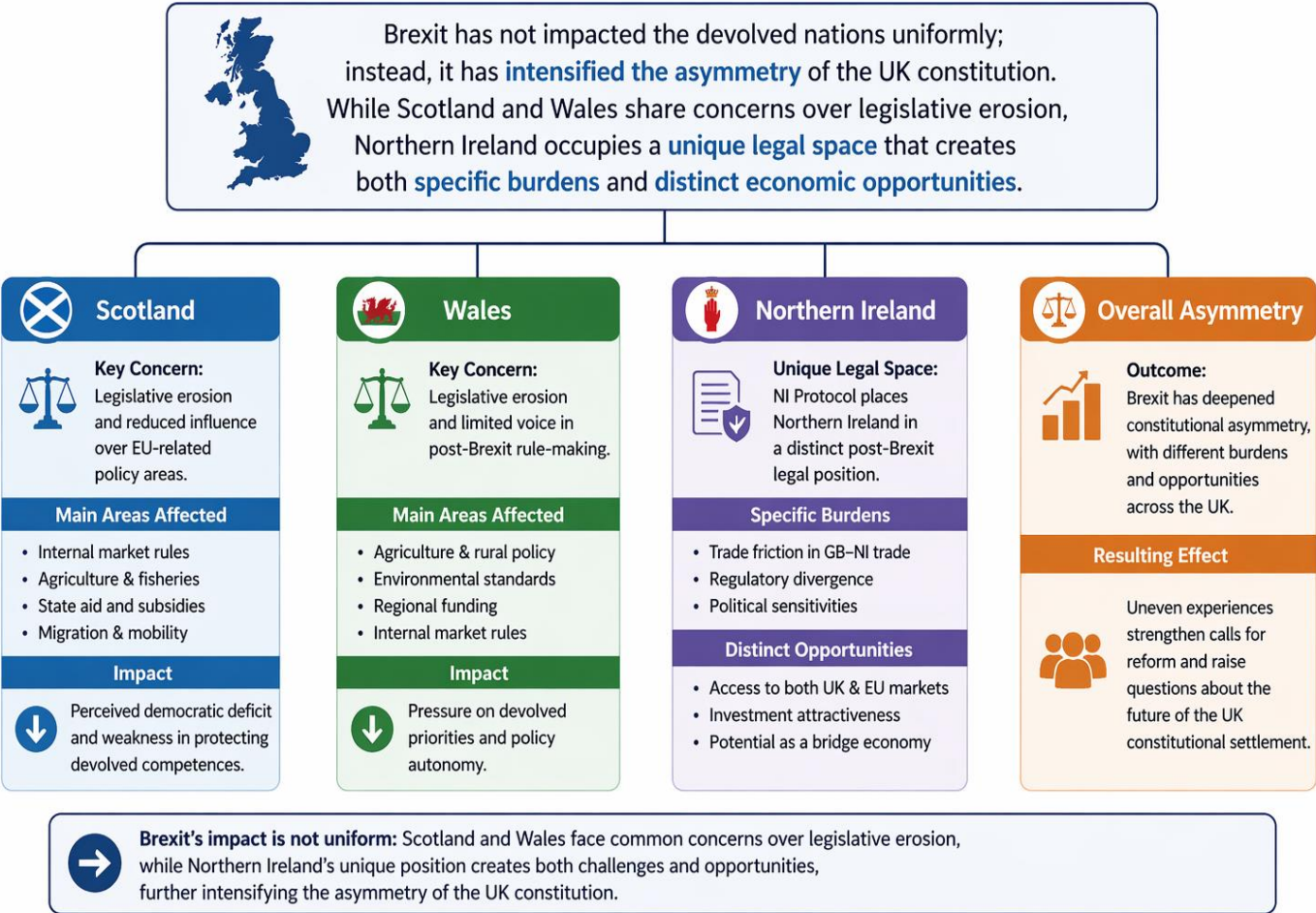
As Gormley-Heenan (2026) notes, the split is owing to the vote being passed by simple majority rather than “cross-community” approval, mostly because of unionist resistance. As a result the outcome was a compulsory Independent Review (Gormley-Heenan, Northern Ireland’s Constitutional Future: Between Two Unions. Manchester University Press., 2026).

This review process is vital in addressing union-based concerns and keeping them central to conversations, as highlighted by Torfaen (2025). But it also reveals a persisting ‘consent gap’ that is a major challenge to the partnership ideals of the Good Friday Agreement. The findings of this study are likely to determine whether the Windsor Framework maintains a permanent fix or is subject to significant modifications to sustain the political balance at Stormont in the future. (Torfaen., 2025).

2.4 Comparison: Asymmetric Responses and Shared Challenges

Brexit has weakened an already asymmetrical UK constitution, a severe stress test that exposes growing legal and political divisions between the constituent states. In Scotland and Wales the main focus is on the UK Internal Market Act 2020, which many see as a rollback of long-standing devolved powers. Both Holyrood and the Senedd are engaged in a defensive action against a Westminster government that is becoming more centralised and is increasingly preoccupied with a single economic architecture, rather than devolution (Institute for Government, 2021).

But Northern Ireland has its own set of issues. With its open land border with the Republic of Ireland, it stays affiliated with the EU Single Market for goods which puts it in a unique legal and economic setting. The Constitutional Review (2022) states that this structure presents substantial political obstacles for the unionist community, but also unprecedented potential via dual access to markets. These opposing forces are fragmenting the British constitutional structure into a “variable geometry” where no two nations are subject to the same norms. (Review., 2025).



UK Parliament can effectively override or bypass devolved laws to achieve complete market consistency across the four nations.

As observed in Edinburgh Law Review (2025) this mechanism incentivises frictionless economic commerce above the constitutional authority of devolved governments to set their own independent standards on health, the environment and social welfare (Review., 2025).

B- The "Democratic Deficit" Narrative

A shared political narrative of a "democratic deficit" has taken root, albeit with different regional nuances. In Scotland and Northern Ireland both of which produced clear "Remain" majorities in 2016 this deficit is framed as a fundamental violation of the consent-based union, where their collective democratic will was overridden by a much larger English electorate (Government. I. f., 2026).

This narrative has interestingly also played out in Wales; despite Wales supporting "Leave" by a small margin, the reality of Brexit has underscored a lack of political and financial clout.

Hunt & Lerner (2022) find that the Senedd is perceived to have less strategic control over regional development and infrastructure funding, adding to the sense that the "devolution of power" is being replaced by the "devolution of blame" while the real levers of control return to London. (Hunt, 2022)

C- Intergovernmental Friction and the Breakdown of Trust

The Brexit process has essentially broken traditional 'constructive ambiguity' that formerly permitted the UK's unwritten constitution to work well. What you see in all of the regions is a constant story of a terrible loss of confidence between the devolved administrations and central UK government. In the past decade Intergovernmental relations (IGR) have changed from a framework of quiet, behind-the-scenes alliances to one of public, opposing legal action and political gridlock (Government. I. f., 2026).

The Institute for Government (2026) says the lack of a strong, legally-binding system for resolving disputes has left the UK Union in a state of "permanent crisis", where every policy disagreement, from bottle return protocols to gender recognition, becomes a high-level constitutional battle over sovereignty and the future of the state itself. (Government. I. f., 2026).

Feature	Scotland	Wales	Northern Ireland
Primary Goal	Full Independence / EU Re-entry	Radical Devolution / "Indy-curiosity"	Stabilizing Dual-Market Access
Legal Status	Unitary integration within UK	Unitary integration within UK	Dual-Status (UK & EU Single Market)
Main Friction	Supreme Court blocks on IndyRef2	Funding gaps (Shared Prosperity Fund)	Trade borders & Democratic Consent
Institutional Stability	Highly stable but adversarial	Transitioning (Constitutional Commission)	Fragile (Power-sharing boycotts)

Table 2 : Comparative Impact of Brexit on the Constitutional and Economic Frameworks of the Devolved Nations (2020–2026)

A. Shared Challenges: The "Centralization" Friction

Across all three devolved nations, the most significant shared challenge is the structural tension between devolved policy innovation and UK-wide market stability.

- **Legislative "Chilling Effect":** Research for 2025-2026 shows that the UK Internal Market Act (UKIMA) 2020 has had a “chilling effect” on devolved legislatures. As a result of the UKIMA’s mutual recognition principle effectively rendering these laws ineffective against goods that are imported from England, governments in Edinburgh and Cardiff are becoming increasingly conservative about introducing ambitious environmental or health legislation (such as deposit return schemes or particular single-use plastic bans) (Review., 2025)

- **Breakdown of Intergovernmental Trust:** The shift from a "consultative" model of devolution to what critics call "Muscular Unionism" has led to a formal breakdown in relations.

By early 2026, intergovernmental ministerial meetings (IGRs) have become sites of conflict rather than cooperation, particularly regarding the "common frameworks" intended to replace EU law (Government. I. f., 2026)

B. Divergent Responses: A Three-Way Split

The responses of the three nations can be categorized by their different constitutional trajectories:

1. Scotland: The Existential Challenge

Institutional competition characterises Scotland's answer. The 2022 Supreme Court decision prompted the Scottish Government to adopt an international stand on independence, characterising the UK as a "unitary state" that has abandoned the idea of consent. This "democratic override" has been central to the campaigns for the 2026 Scottish Parliament election. (Government. S. , 2024)

2. Wales: The Reformist Challenge

The Welsh approach has been reforming and consultative. The model of the 'Independent Commission' (2024) is considered rather than instant split, which calls for a thorough reform of the Union. Wales is currently guiding the charge for a move towards Federalism as a middle ground to overcome the "Jagged Edge" of powers in justice and policing (Wales, 2024).

3. Northern Ireland: The Pragmatic Challenge

Northern Ireland's approach is marked by practical dualism. The focus under the Windsor Agreement is not on having debates similar to the Scottish independence vote such as "leaving" or "remaining" but on taking advantage of the benefits of having access to both markets.

However, this ambition is constantly under pressure from the measures agreed in late 2024, the 'Democratic Consent', as Paun (2024) points out. Such provisions revive historic constitutional tensions between the Nationalist and Unionist communities on the legitimacy of the Irish Sea Border. This highlights the degree to which the operation of markets remains closely bound up with unresolved questions of local consent. (Paun A. &., 2025).

Conclusion :

In the end, it cannot be said that the impact of Brexit has been consistent across the devolved states; rather, it has been a significant ‘stress test’, exposing the asymmetries that exist within the constitutional arrangements of the United Kingdom. Scotland, Wales and Northern Ireland share an anxiety about the shrinking extent of their legislative autonomy, but the particular legal, fiscal and political challenges they are under are very different.

Scotland, for example, has been preoccupied with preserving the status as it is, Wales remains involved in the ‘justice gap’ and the centralisation of funds, and Northern Ireland faces the complex challenge of negotiating its ‘dual-status’ governance under the Windsor Framework. These difficulties have produced a post-Brexit union that is a fragile governance structure with “variable geometry”. However, these changing constitutional difficulties have an inherent connection to the economic and financial measures proposed by Westminster to govern the UK in the post-Brexit era

This means a change of emphasis towards an empirical study of regional development funds. The next chapter will examine this in the context of comparing the UK Shared Prosperity Fund's (UKSPF) fiscal consequences with the legacy of EU Structural Funds. The investigation will explore if the post-Brexit economic union is in the interest of the devolved states or if it further promotes centralisation and threatens the autonomy of the regions.

Chapter 03: Devolution Beyond Brexit: Opportunities and Risks

Introduction

The United Kingdom's withdrawal from the European Union is much more than a simple shift in international status; it has produced a deep "critical juncture" that is still radically transforming the internal constitutional, legal and socio-economic fabric of the state.

The Westminster government has sought to bolster its regulatory sovereignty through the UK Internal Market Act, amongst other measures. In doing so, it has inadvertently created a systemic tension between the desire for national legislative coherence and the historic expectations of regional autonomy in Scotland, Wales and Northern Ireland.

In exploring these shifting power dynamics, the following analysis examines whether the post Brexit landscape acts as a catalyst for a more streamlined British identity or, conversely, acts as a centrifugal force, threatening the very stability of the Union's asymmetrical constitutional settlement.

3. 1. Political Implications: Challenges to Governance and UK Unity

The post-Brexit political landscape is marked by a profound contradiction between the emotional language used by the "Leave" campaign in claiming to deliver 'taking back control' for the nation and the reality of Westminster grabbing even more power, seemingly ignoring any notion of regained sovereignty.

Reenen (2016) points out that there is a "repatriation gap". Many of the powers that were transferred to the European Union such as agricultural subsidies and environmental standards will not automatically be devolved to the Scottish, Welsh and Northern Irish governments. Instead, they have been repatriated to Westminster, to be managed in the name of a unified UK Internal Market, removing any potential for distinct post-Brexit foreign policies at a sub-state level. And while control has been transferred from Brussels to London, the mechanism for implementing it such as the new UK Internal Market Act 2020 restricts the influence of regional governments, eroding the principle of subsidiarity (Reenen, 2016).

GARCÍA(2021) points out In what way does a country that has long professed a distaste for centralisation get to celebrate its freedom from Brussels by creating a regulatory regime that centralises power in Whitehall as it "takes back control"? It may be tempting to suggest that the Scottish, Welsh and Northern Irish must now negotiate their differences with the rest of the UK through the new framework of internal market legislation and powers. But such an approach merely confirms the perception that Brexit is a process of political integration, locking Scotland, Wales and Northern Ireland further into the English-dominated union.

The restoration of Westminster's supremacy does not bring about democratic renewal through decentralisation, but rather sharpened constitutional friction putting the UK's existing highly asymmetrical union under strain (GARCÍA, 2021).

3.1.1. Centralization vs. Devolution:

The struggle between centralisation and devolution in the contemporary UK has taken a striking turn: the direction of policy is increasingly determined by the imperative to deliver on the spot, to 'get things done' in a top-down fashion over the longer-term in the interests of place (S, 2023).

The post-Brexit industrial strategy and the new spending Review unveiled last November promise much on levelling up and rebalancing regional economies. But the way the fund of £1.57 billion over three years will be allocated through a competitive bidding pot tells a different story. It is one of Westminster's muscular unionisms, bypassing devolved powers and institutions altogether.

McCormack (2026) argues that The reaction in Northern Ireland from republican and nationalist politicians is one of dismay and what one of them called a 're-securitisation' of the British state. In the light of the Good Friday Agreement and the devolution of power in the 1990s and 2000s, the interference of the British state in the affairs of the Northern Ireland Assembly is seen as a major subversion of cross-community governance models that were painstakingly achieved through decades of struggle.

That interference suggests that the current British state is intent on dismantling these models of localised collaboration and substituting a rigid and highly securitised model of national unity (McCormack, 2026).

3.1.2. The Northern Ireland Protocol and UK Unity:

The Northern Ireland Protocol was introduced after Brexit . It was designed to prevent a hard border on the island of Ireland by creating a trade border in the Irish Sea . It imposed EU goods standards which were different for Northern Ireland than for the rest of the UK . This became a controversy over the constitutional status of the region . Unionists saw the checks as damaging to UK unity and creating economic and political strains in the union .

A) The Northern Ireland Protocol:

The Northern Ireland Protocol exists to ensure that the progress that the people of Northern Ireland have made in the 22 years since the Belfast (Good Friday) Agreement is secured into the future. The Belfast Agreement is built on the principle of consent.

It was ratified by referenda in both Northern Ireland and Ireland. And the Agreement is crystal clear that any change in the constitutional position of Northern Ireland within the United Kingdom can only come if the majority in Northern Ireland consent to any change (Office, 2020).

The vital importance of consent is recognised in the provision for alignment in the Protocol to be disappplied if Northern Ireland's political representatives conclude it is no longer desirable. Embedding that recognition of consent in the Protocol was intrinsic to its acceptance by this Government. Therefore, for the Protocol to work, it must respect the needs of all Northern Ireland's people, respect the fact that Northern Ireland is an integral part of the customs territory of the United Kingdom and respect the need to bear as lightly as possible on the everyday life of Northern Ireland. Although there will be some new administrative requirements, these processes will be streamlined and simplified to the maximum extent. As the European Commission's own negotiator Michel Barnier spelled out, the Protocol's procedures must be "as easy as possible, and not too burdensome, in particular for smaller businesses" (Government..., 2020).

The economy of Northern Ireland is heavily dependent on small and medium-sized enterprises. Subjecting traders to unnecessary and disproportionate burdens, particularly as we wrestle with the economic consequences of COVID-19, would not serve the interests of the people of Northern Ireland for whom the Protocol was designed.

B). Northern Ireland and the UK :

The Protocol was designed as a practical solution to avoiding a hard border on the island of Ireland, whilst ensuring that the UK, including Northern Ireland, could leave the EU as a whole. It necessarily included, therefore, a number of special provisions which apply only in Northern Ireland, for as long as the Protocol is in force. That is why the democratic principle at the heart of the Protocol is so important (Government..., 2020).

The Protocol is not codified as a permanent solution; it is designed to solve a particular set of problems, and it can only do this in practice as long as it has the consent of the people of Northern Ireland. That is why it is for the elected institutions in Northern Ireland to decide what

happens to the Protocol alignment provisions in a consent vote that can take place every four years, with the first vote taking place in 2024. Only elections in Northern Ireland and the vote of the Assembly will decide the outcome. The implementation of the Protocol must therefore reflect the reality that the alignment provisions may not be in place forever. The only arrangement that is likely to be enduring is one that is flexible and can adapt (Office, 2020).

C). The Northern Ireland Protocol and the Windsor Framework

Wilson (2021) sees that the Northern Ireland Protocol and the Windsor Framework are a deal because they bring together international law and the rules of the country in a way that is very unstable. This is all about Northern Ireland, which is a major point of contention. When we look at how this works we see that Northern Ireland has a situation where it follows some important rules of the European Union for goods so that there is no hard border on the island of Ireland. At the time Northern Ireland is still a part of the United Kingdom's customs area (Wilson, 2021).

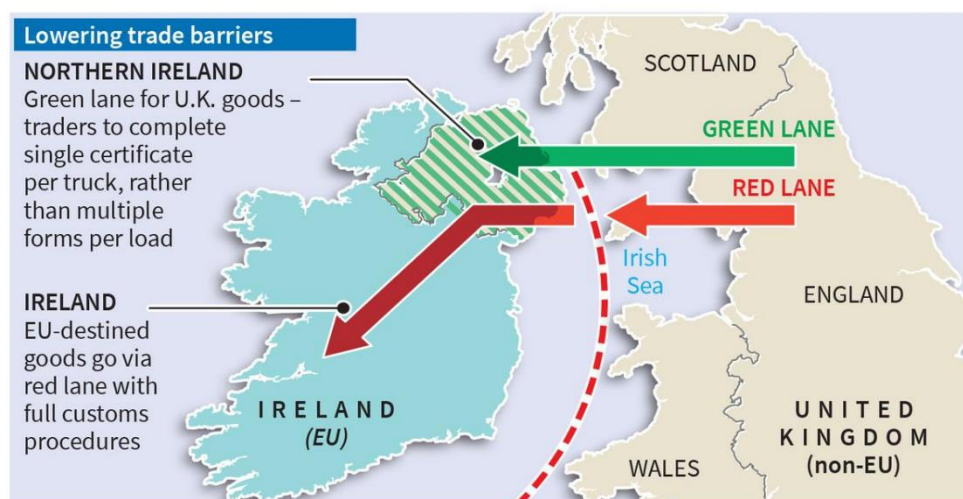


Figure 7: The Windsor Framework dual-lane system for goods entering Northern Ireland from Great Britain. (Government. H. , 2023)

The diagram shows the concept of a dual-track system to regulate the movement of commodities over the Irish Sea from Great Britain (England, Scotland and Wales) into Northern Ireland.

- **The Green Lane:** This route is for commodities that are only to be consumed in Northern Ireland. It cuts bureaucracy greatly as traders can use one single certificate per truckload instead of long individual forms, reducing trade barriers and alleviating local supply chain frictions

- **The Red Lane:** This is the only way for goods going for the Republic of Ireland and the larger European Union. The goods remain subject to all EU customs procedures, inspections and checks to preserve the integrity of the EU Single Market.
- **Political Significance:** The method is designed to deliver “frictionless trade”, but visibly shows that there is a customs border in the Irish Sea. This has increased political tensions, especially among unionist groups who claim that such regulatory difference undermines Northern Ireland’s constitutional and economic status within the United Kingdom (Government. H. , 2023).

When we really think about this arrangement, we find a big problem. The Northern Ireland Protocol and the Windsor Framework are said to give Northern Ireland the best of both worlds. However, this is not really true. For people who want Northern Ireland to stay part of the United Kingdom, the fact that Northern Ireland has rules than the rest of the UK is a big issue. The Irish Sea border is not a technical problem it is also a symbol of the threat to Northern Ireland's place in the United Kingdom.

The Northern Ireland Protocol and the Windsor Framework create a situation in Northern Ireland that is different from the rest of Great Britain. This is seen as a threat to the idea of trade and the unity of the United Kingdom. The Windsor Framework tried to make things better with its "Green" and "Red" lanes. The fact that there are still different rules in Northern Ireland means that it is in a state of uncertainty. The need to keep the border parts of the Good Friday Agreement is at odds with the desire for Northern Ireland to be the same as the rest of the United Kingdom. The Northern Ireland Protocol and the Windsor Framework are still causing problems for Northern Ireland (Hedetoft, 2020).

3.1.3. Threats to the Union

Colley (2005) explains that The idea of a " Brexit". Which means the United Kingdom will completely leave the Single Market and Customs Union. Has caused a lot of tension. This has led to people talking about independence and Irish reunification again but this time it is a much bigger deal. When we look at what's happening, it seems that the European Union was helping to keep everything stable and now that it is not there, the different countries that make up the United Kingdom are having to deal with their differences directly (Colley, 2005).

In Scotland many people think that the United Kingdom leaving the European Union is not what they wanted and they feel like their vote is not being heard. This has made a lot of people in Scotland want to have another vote on becoming independent. At the time in Northern Ireland the fact that the rules and economy will be different from the rest of the United Kingdom

has made some people think that maybe it would be better to be part of Ireland again so they can still trade easily with other European countries.

Oliver (2023) States that When we listen to what the people who want a " Brexit" the most are saying it sounds like they are okay with the possibility of the United Kingdom breaking apart. They do not seem to think it is the thing that could happen but rather something that might have to be accepted in order to have complete control over the country's own rules. This shows that some people in the United Kingdom are more concerned with being independent and making their own decisions than they are with keeping the country together. This is a change from how people used to think and it could mean that the United Kingdom will not exist in the same way for much longer. The United Kingdom and the idea of a " Brexit" are causing a lot of problems, and the future of the United Kingdom is not clear (Oliver, 2023).

3. 2. Social and Cultural Implications: Regional Identities and Cohesion

The Brexit thing has shown us the differences between people and places in Britain that have been around for a long time. This has made a lot of people feel like they do not have a voice and has led to a lot of anger towards the people in charge. If we look at why people voted to leave the European Union, it was not about the European Union. It was about how people felt about the way the country has changed over the years and how they felt left by the people in power in London (Pike, 2021).

When we look at where people voted to leave, we can see that it was mostly in areas where people do not have opportunities to get ahead and where wages have not gone up much. People in these areas used their vote to say that they are not happy with the way things are. The government is now talking about making things more equal with their "Levelling Up" plan. This shows that they know the big differences between areas are a problem. It is not about money, it is about things like good roads, good healthcare and good schools. These things are very different depending on where you live.

Pike (2021) claims that the story of the people who feel left behind says that if the government does not actually do something to help these areas the big differences between people and places will keep causing problems. This will lead to more and more people being angry, with the government and the system. The Brexit thing has shown us that people are very unhappy and something needs to be done to make things more fair. The UK government needs to do more than just talk about helping these areas they need to do something. If they do not the problems we see now will just get worse. Brexit has shown us the problems now it is time to fix them (Pike, 2021).

3.2.1. Revenge of the "Places That Don't Matter":

Premature mortality (2018) shows that the result of the 2016 referendum was really a sign that people in the industrial areas were very unhappy. They felt like they were being left behind by the people in power and the way the economy was changing. When you look at the numbers, you can see that the people who voted to Leave were mostly from places where the old factories had closed, and new jobs had not been created. These areas are struggling because they did not get the jobs and services that other places got. The people who live there have lower incomes, less education and they are not as healthy as people in other areas (Plümper T., 2018).

Premature mortality (2018) also affirms that they even die younger. This is not fair. It shows that the referendum was a way for people to protest against the government. They felt like the government was helping the areas in the South but not doing enough to help the poor areas in the North and Midlands. So the Brexit vote was not about leaving the European Union; it was about changing the whole way the economy works in Britain. The people who voted to Leave wanted a system that would help everyone, not just the rich people. They wanted to be seen and heard again because they felt like they had been forgotten. The Brexit vote was a call for change a change that would make Britain a fairer place for everyone, for the people in the old industrial areas who felt like they had been left behind (Plümper T., 2018).

3.2.2. Identity Shift in the Borderlands:

The post-Brexit world has altered a social and political phenomenon in Northern Ireland known as 'banal Europeanism'. This is where people shared an identity that worked well with their traditional national feelings. It was a layer that made things less argumentative.

McCall (2014) says the European Union was like a roof It helped people connect across borders and improved life economically and socially. The UK's departure from has made people rethink how their different identities work together. This has been painful and unstable. (McCall, 2014)

And new barriers are threatening the sense of belonging. These barriers are not just physical but psychological. They have been important for peace in Northern Ireland for a time (McCall, 2014).

Gormley-Heenan and Aughey say Brexit takes away the EU's influence. This makes people focus on two national identities. It hurts the citizenship that developed in Northern Ireland after the conflict.

So moving away, from integration does not just change trade rules. It actually breaks down the frameworks that helped Northern Ireland move past disputes (Gormley-Heenan, Northern Ireland and Brexit: Three effects on ‘the border in the mind’. The British Journal of Politics and International Relations, 19(3), 497-511., 2017).

3.2.3. Community Anchors:

Critics argue social enterprises are better at being "community anchors" than local authorities. This is because they use a kind of social entrepreneurship that focuses on making a local social impact rather than just being efficient.

When looking at what makes social enterprises so effective, some researchers like Munoz et al. (2015) Point out that they have a lot of "capital". This comes from years of being present in the community and sharing experiences with people. As a result social enterprises can build trust easily than distant government mechanisms (Munoz, 2015).

Another important issue is the long-term commitment of firms to their communities. Social enterprises have a ‘stewardship’ approach to things, whereas local authorities are sometimes constrained by short term election cycles and budget deficits. This helps children to make social relationships that last.

The governance of social companies is an advantage as well. As pointed out by Vickers et al. (2017), their democratic and community-led frameworks enable them to react to local demands swiftly. This is not something that large administrations can achieve. (Vickers, 2017).

These organisations are not merely service providers, they become part of the social fabric of a community.” They alter the provision of welfare from a “down” to a “bottom-up” method. This process develops strength and a sense of belonging in the group. Social companies are important because they are embedded in their communities, and they work through a social entrepreneurship lens. They are concerned with impact and invest in good ties with the local community.

3.3. Economic Implications: Funding, Local Development, and Opportunities

The transfer from European Union (EU) Structural Funds to UK-centric programmes is a seismic shift which has profoundly changed the long-term funding environment and strategic course of regional development.

McCormack (2026) contends that when analysing this fiscal evolution, the unexpected exit from the EU's multi-annual financial frameworks upset deeply entrenched economic relationships and predictable funding systems that had underpinned regional infrastructure for decades. But this interruption is not only an issue of administrative transition (McCormack, 2026).

Tomaney and Pike (2021) assess the design of successor programmes, such as the UK Shared Prosperity Fund, and argue that the trend towards a centralised, competitive bidding process is likely to exacerbate, rather than reduce, geographic disparities. They also discuss the political impact of this "repatriation" of funding. (Pike, 2021).

The move to Westminster has meant those initiatives have worked around devolved administrations, raising important questions about the democratic sustainability and spatial justice of post-Brexit growth strategies . Ultimately, the replacement of needs-based EU allocations with discretionary UK-centric grants suggests a move away from long-term regional stability toward a more fragmented and politically sensitive model of economic intervention, which may leave the most vulnerable "left-behind" regions in a state of perpetual financial uncertainty.

In recent years, Northern Ireland's economy has grown faster than the rest of the UK. NI economic output is now 12% above the pre-pandemic level seen in Quarter 4 2019, compared with UK GDP as a whole at 5.2%. Figure 1 compares GDP increases across England, Scotland, Wales and Northern Ireland from 2010 to 2023 (NISRA, 2026).

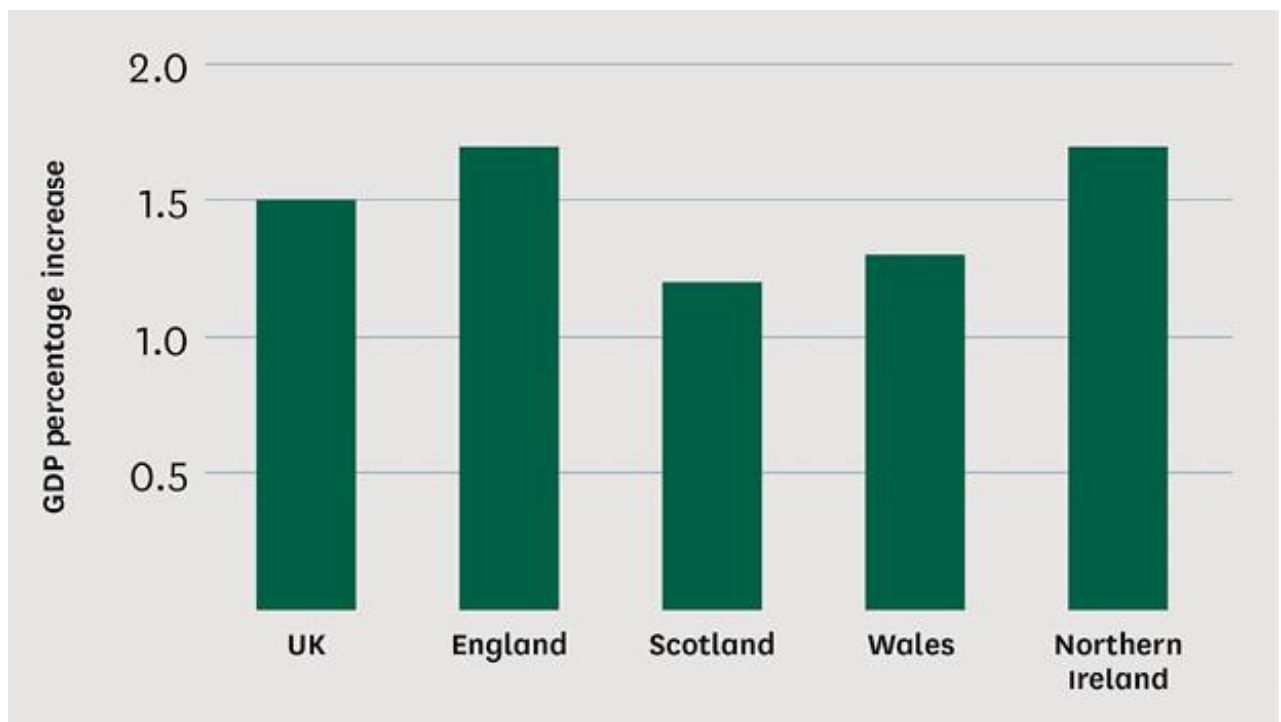


Figure 8: Economic Growth 2010–2023 (GDP % increase) (*NISRA, 2026*)

3.3.1. The Funding Gap:

The transition from EU Structural Funds to the UK Shared Prosperity Fund (UKSPF) has changed the fiscal landscape of regional development, and introduced a time of considerable financial uncertainty.

McCormack (2026) argues that the UKSPF is intended to mimic earlier levels of EU support when assessing this transition, but has shown significant ‘fiscal discrepancies’ most acutely experienced by poorer communities.

McCormack (2026) further highlights that regions like Cornwall and Wales, which have historically received the lion’s share of EU funding, are now confronted with a stark “funding cliff-edge” as the standardised, competitive bidding model of the UKSPF does not compare to the long-term, multi-annual security of the European Social Fund (ESF) and European Regional Development Fund (ERDF) (McCormack, 2026).

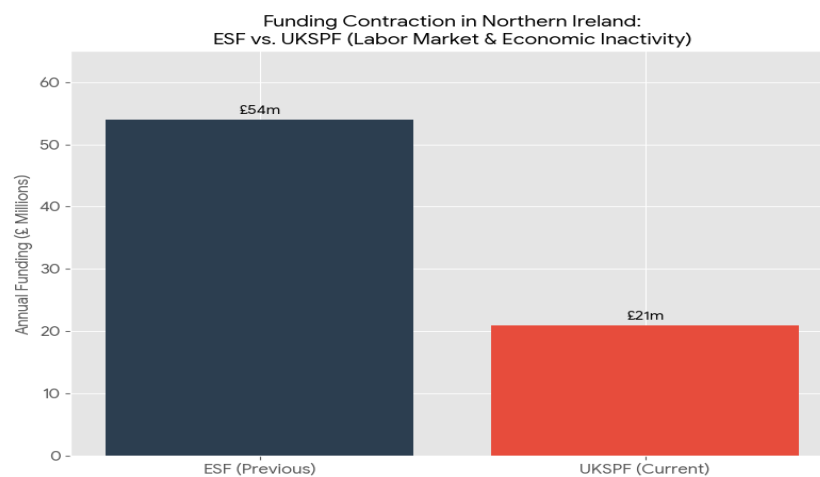
Additionally, the shift in administrative delivery has seen the move to a “UK-centric” effort effectively re-concentrate decision-making authority back at Westminster, sometimes bypassing the localised knowledge of devolved governments, argues Connolly and van der Zwet (2021). This sentiment is supported by Tomaney and Pike, who argue that the reliance on

short-term ‘capital projects’ over long-term ‘people and skills’ income has produced a structural vacuum in social infrastructure (Connolly, 2021).

Consequently, the transition has been more than an administrative exchange but a strategic pivot. Drawing on the emerging data, McCormack contends that the current funding landscape threatens to entrench the very spatial inequalities it was intended to “level up”, with the loss of ring-fenced EU support pushing local authorities into a constant state of financial competition rather than

collaborative regional growth.

Figure 9: Comparing the annual funding received in Northern Ireland under the European Social Fund (ESF) versus the current UK Shared Prosperity Fund (UKSPF).



3.3.2. Northern Ireland Case Study:

The change from European Union structural support to the UK Shared Prosperity Fund (UKSPF) has led to a significant loss in social infrastructure financing for Northern Ireland, especially regarding labour market initiatives. McCormack observes in his analysis of the fiscal transition that the UKSPF is anticipated to offer about £126.8 million for local investments until March 2025. (McCormack, 2026).

But on closer investigation, there is a worrying “funding cliff-edge” facing the region’s most vulnerable communities. McCormack points out the glaring hole in the UKSPF’s pledge to tackle economic inactivity. It allocates just £42 million over two years, compared to £42 million a year previously secured by the European Social Fund (ESF), which was augmented by substantial matching funds.

Moreover, McAreavey (2023) notes that this fall in revenue financing puts community-based organisations who provide vital training and disability support services, previously a core aspect of the ESF's aims in Northern Ireland, at risk. More broadly, from a constitutional perspective, Birrell and Heenan argue that the fact that such financing decisions are made in Westminster rather than by the Northern Ireland Executive creates a 'democratic deficit' that ignores local labour market conditions. (McAreavey, 2023).

In consequence, this transformation has replaced a solid, multi-annual funding structure for human capital with a more fragmented and lower financial model (McCormack, 2026). This raises significant questions about the UK government's capacity to successfully address persistent economic inactivity in a post-conflict country without the robust institutional support that was once provided by Brussels. (McCormack, 2026)

3.3.3. Productivity and Prosperity:

The present economic divide between Northern Ireland and Great Britain is the result of long-standing structural problems which have prevented the region from developing and competing in the past. Research by Donaldson et al,(2025) shows that Northern Ireland is continuously below the UK average for measures of productivity, with an export intensity of only 26% against the national rate of 29% (Donaldson, 2025).

Their research of historical initiatives shows that past policy interventions have mostly underperformed because implementation was typically isolated and policymaking was fragmented and compartmentalised and did not address the interrelated nature of economic advancement. Harris and Moffat (2022) also note that the lack of a single industrial strategy has limited Northern Ireland's capacity to take use of its unique access to two markets. This issue is further aggravated by regional departments working under conflicting priorities (Harris, 2022).

This view is supported by Brown and McGovern (2023) who argue that without a major shift to integrated governance that effectively combines infrastructure development, skills training, innovation policies and trade support the region faces the prospect of being caught in a persistent cycle of low productivity and limited economic growth. In their perspective, fragmented policies and disconnected institutional methods often undermine the long-term regional development, due to the lack of effective coordination between economic sectors and public bodies.

They highlight the importance of collaboration between government institutions, corporations, education systems and local communities to build a more dynamic and adaptive economic environment to achieve sustainable growth. (Brown, 2023).

3.3.4. Competitive Bidding and Inequality:

The transition from the formalised, objective distribution of European Union Structural Funds, to the more subjective procedures adopted by the Levelling Up Fund, is a major shift in the UK's conception of regional justice. In this transition McCormack offers a negative evaluation, claiming that the emphasis on competitive bidding and the centralised decision-making of ministers generate a 'capacity bias' in regional policy.

This approach is highly problematic, especially given that it sets the most deprived local authorities, often with already limited administrative capacity, against well-resourced councils with the capacity and expertise to prepare high quality funding bids. McCormack (2026) offers an examination of the outcomes of these financing rounds and concludes that this move may tend to entrench existing spatial inequities rather than address them.

The discretionary structure of the fund can lead to a 'political-administrative' selection process that promotes projects in more stable regions rather than addressing the long-term developmental needs of marginalised groups.

By this means the change from needs-based evaluation to a competitive model makes regional development a bureaucratic struggle for survival, which can marginalise the same places that the program was intended to help (McCormack, 2026).

3.3.5. Entrenched Regional Disparity:

By the mid-2020s, despite the deployment of a range of regional and national measures, structural inequalities in productivity, income and access to opportunity remain remarkably resilient features of the socio-economic landscape of the United Kingdom.

Delestre et al. (2024) critically analyse this persistent stagnation and note that the UK still suffers from a disproportionately high level of income inequality relative to other advanced countries, mirroring deep-rooted inefficiencies in redistributive systems. (Delestre, 2024)

Looking at long-term patterns in national assets, their analysis finds that although conventional metrics of wealth inequality have remained relatively stable since the 1980s, this seeming equilibrium is deceptive. It hides an ever-widening "opportunity gap" fuelled by sky-high property prices and the aggregation of money in the Southeast.

The authors then discuss the interplay of these forces and assume that the plateau in wealth inequality measures is a sign of a rigid class stratification where social advancement is largely dependent on socioeconomic inheritance rather than meritocratic pathways.

This is in stark contrast to the “Levelling Up” narrative that has been pursued during the present decade, where the persisting regional differences in productivity and household incomes continue to highlight the fragmented nature of the UK economy (Delestre, 2024).

3.4. Future Prospects:

The trajectory of devolution in the UK in the post-Brexit period is being increasingly cast as a fundamental choice between the hardening of centralised rule from Westminster and purposeful turn to inclusive, place-sensitive forms of governance..

According to Boyle et al. (2019), this is a unique yet fragile chance to reinvent the constitutional architecture of the UK, a moment marked by the absence of entrenched safeguards and the uncertainty surrounding the future of human rights and social protections. Their analysis suggests that the potential for reform lies in the co-option of regional stakeholders to co-create policymaking processes through reforms that dismantle “top-down” administrative practices in favour of genuinely participatory and inclusive governance structures. (Boyle, 2019)

They also highlight the very real risks of pursuing the same approach in the future, arguing that, in the absence of a formal commitment to subsidiarity, the UK will face an increasing ‘democratic deficit’ as distinct regional problems are subsumed into uniform national legislation. The authors argue that the post-Brexit period should not be seen simply as a process of legal repatriation, but as an opportunity to encourage a wider democratic renewal, focused on local empowerment, participatory equity and social justice, rather than the ease of centralised administration. (Boyle, 2019).

A. Re-centralisation and Administrative Delivery:

The governance structure in the UK is increasingly dominated by a centralised "command and control" approach, reducing regional entities to implementers rather than independent, empowered leaders.

The UK governance system is increasingly dominated by a centralised “command and control” approach that reduces regional bodies into implementers rather than independent, empowered leaders. McCormack (2026) points out that the system relies on local authorities as a means of delivering

centrally administered financing, promoting a short-term, project-based focus rather than long-term, comprehensive regional management. In this strategy, competitive funding mechanisms like the Levelling Up Fund force councils to focus on high-visibility “showcase projects”, such as rebuilding town halls or building new bypasses (McCormack, 2026).

Such efforts are politically attractive in the short term, but they tend to overlook deep societal imbalances demanding more sophisticated remedies. McCormack (2026) discusses the marginalisation of the third sector and social companies are typically viewed as subordinate ‘satellites’ to broader national economic plans.

For instance, community-led projects such as housing co-operatives or skills training centres are often employed on short-term contracts rather than being entrenched into long-term regional development strategies.

This makes the search of social value a side issue, and the revolutionary potential of grassroots-driven localism is undermined. This top-down hierarchy has substituted co-operative bottom-up processes with a rigid system designed to satisfy Westminster’s expectations, eventually suppressing the authentic empowerment and sustainable development of regional communities.

B. The Social Enterprise and Cooperative Model:

Another approach to regional regeneration is to radically reconfigure development frameworks from centralised commands to being led or co-managed by social entrepreneurs.

The institutional benefits of this strategy reveal that social businesses are ideally positioned to be true community anchors vis à vis traditional administrative agencies. It is claimed that social enterprises develop significant "relational capital" through their organisational foundations, sustained local engagement and shared lived experience, which enables them to engage with marginalised groups more effectively than the "top-down" interventions of government agencies.

In their operational ethos, McCormack (2026) considers that these organisations are more likely to be driven by a focus on long-term progress, rather than short-term electoral or fiscal constraints often faced by local governments, as they channel their profits back into the community. For example, municipal councils might focus on one-off infrastructure projects, while social enterprise-led approaches might focus on developing circular local economies (for example, community-owned renewable energy cooperatives or regional food networks) that support sustained social and economic integration.

The author concludes that the integration of social enterprises into the regional governance institutions can alter the trend of local development. This approach would not be limited to a passive paradigm of service provision but would promote a participatory, bottom-up process striving for communal resilience and sustainable community building. (McCormack, 2026).

C. Territorial Fragmentation and Independence:

Hard Brexit has been executed in a manner that has greatly destabilised the UK's uneven devolution system and exposed serious gaps in territorial administration. In examining the constitutional tensions this creates, Melo Araujo argues that while the UK government has centralised trade functions within the Department for International Trade (now part of the Department for Business and Trade), the devolved administrations are hindered by a lack of effective inter-governmental collaboration mechanisms. This gap means that regions such as Scotland, Wales and Northern Ireland do not have a real or legally solid say in trade policy debates which directly affect their economies.

On the practical ramifications of this omission, the author observes how the 'repatriation' of competences from Brussels has in effect bypassed the devolved administrations, resulting in a de facto centralisation of authority. For example, in the negotiation of new Free Trade Agreements (FTAs) there is often a threat to industries of vital regional importance such as Northern Ireland's agri-food sector or Scotland's offshore energy business. However, the current arrangement relegates the devolved administrations to a purely consultative position, rather than a position of genuine decision-making power (Melo Araujo, 2019).

In the broader political context, the author highlights how these governance failures, along with shifts in the political dynamics of Belfast and Edinburgh, continue to mould the UK's constitutional landscape into one that is more contested and divided. The research therefore warns of an ongoing constitutional crisis unless a formal "inter-institutional" mechanism is established. Without such a framework, the pursuit of "Global Britain" goals will forever threaten to undermine the democratic will and economic interests of the devolved regions..

D. The Resilience Priority:

After the 2024 general election has already seen a considerable change in regional governance from a "Levelling Up" motto to more formal, institutionalised forms, such as in the

Devolution White Paper. This is a deliberate strategic shift that places Strategic Authorities at the heart of local economic resilience.

It moves away from the crisis-driven finance of the past and aims to facilitate longer-term, systemic planning. Further entrenchment of devolution arrangements, including the expansion of “trailblazer” powers to an increasingly expanding pool of combined authorities, is argued by McCormack (2026) to be aimed at providing regional leaders with the fiscal stability necessary to engender sustainable, place-based development (McCormack, 2026).

In characterising this policy development, the author notes a clear shift away from headline-grabbing, ‘shovel-ready’ initiatives, to a more expansive ‘foundational economy’ approach. Strategic Authorities are now required to co-ordinate key areas such as transport, housing and skills training into single regional strategies. Authorities should be given multi-year ‘single settlement’ budgets to tackle structural difficulties such as regional productivity gaps and the digital divide, rather than competing for one-off ‘levelling up’ subsidies to fund isolated projects such as high street makeovers.

The analysis also indicates a major change in the role of the central government, which is moving from being a mere “distributor of funds” to an active “partner in growth.” With this change, the intention is to alleviate the difficult process of competitive financing bids and to simplify efforts at all levels. In sum, the author regards the empowerment of Strategic Authorities in this manner as potentially a breakthrough in overcoming the fragmented policymaking of the past. (McCormack, 2026)

But success depends on ensuring these new capabilities are matched by increased democratic accountability and active engagement with local social businesses which are key to delivering inclusive and sustainable regional development.

E. The "Reset" or Constitutional Standoff

Brexit has led to a steep rise in constitutional tensions in the UK, particularly about the distribution of powers in multi-level governance. The early articulation of a definite answer to the “European question” by the Cameron government, according to Oliver (2023), has been a transformative event that continues to exert pressure on the territorial integrity of the UK. He goes on to argue that in fact the Sewel Convention – the principle that Westminster should not typically legislate on devolved areas without assent – has been undermined, particularly in relation to powers repatriated from the European Union.

Oliver (2023) demonstrates this constitutional change by looking at important legislative changes, such as the UK Internal Market Act 2020. Despite refusal of Legislative Consent Motions by the Scottish Parliament and Welsh Senedd, the Act was approved and gave Westminster the power to set universal regulatory standards in devolved policy areas such as environmental and food safety regulation. This was basically to let the central government overrule regional preferences in order to maintain a unified internal market.

Oliver (2023) argues that these developments are part of a wider trend towards a more centralised notion of sovereignty, which converts the Sewel Convention from a substantive constitutional guarantee to a largely symbolic process. The upshot has been a shift of UK administration from a cooperative model of shared power to a more hierarchical structure, generating worries about long-term political stability and increasing territorial fragmentation.

One of the key consequences of these developments has been the phenomenon called “consent fatigue” in devolved institutions. Legislative consent was formerly a significant constitutional mechanism, but has become increasingly ineffectual as Westminster has continued to legislate without agreement from Scotland and Wales. The devolved governments formally opposed the passage of the Retained EU Law (Revocation and Reform) Act 2023 and this provides a further example of the Sewel Convention’s decreasing significance. Devolution has moved from a collaborative model to an ever more confrontational one where Westminster prioritises legislative efficiency over regional engagement.

This cumulative build-up of repatriation legislation has left the devolved parliaments essentially reactive, restricting their ability to exert any significant impact on UK-wide policy. Oliver (2023) argues that the failure of consent mechanisms is symptomatic of wider constitutional strain and that symbolic resistance is one of the few remaining outlets for regional dissent in an increasingly centralised government. Future of UK territorial politics Keating (2024) argues that the emergence of strong nationalist governments in Scotland and Wales could turn episodic conflicts over legislative consent into a structural constitutional problem. The 2026 devolved elections could usher in a new phase He contends that the UK government faces a fundamental choice: either to re-impose the Sewel Convention as a binding constraint requiring more conformity with the desires of the devolved governments, or to continue legislating unilaterally and therefore eroding the legitimacy of the Union.

Keating warns too that increased centralisation might speed up a move to “de facto” independence as the weakening of intergovernmental collaboration decreases incentives for nationalist parties to cooperate within the current constitutional framework. In this scenario, the

post-Brexit “muscular unionism” may be reaching its limitations as increased legislative supremacy from Westminster triggers parallel pushback and consent crises in the devolved nations . (Oliver, 2023) (Keating, 2024).

F. The "English Trailblazer" and Fiscal Devolution

Devolution has largely been about Scotland, Wales and Northern Ireland. But the latest measures like the English Devolution and Community Empowerment Bill and the planned 2024 English Devolution White Paper point to a radical change in the administration of England. These reforms are intended to decentralise authority and diminish the influence of central government by delegating responsibilities to newly created sub-national groups called as “Strategic Authorities” (Delestre, 2024).

This developing framework is characterised by the creation of Integrated Settlements. Consolidated financing packages, called Integrated Settlements, have already started going to regions like Greater Manchester and the West Midlands under the “Trailblazer” method. These are changes that move away from fragmented departmental funding sources towards more flexible, co-ordinated investment models that are geared to support regional development and economic growth . (Keating, 2024).

Another important part of this change is fiscal decentralisation. The success of these arrangements of devolution, as noted by McCormack (2026), is highly dependent on the administrative and management capacity of regional bodies. There are also discussions now about whether regional governments may have some say in certain national tax revenues. If completely implemented, such measures might fundamentally reshape England’s fiscal structure, away from one of the most centralised in the industrialised world toward a more regionally balanced economic model.

But there are also risks with this transition. Greater fiscal autonomy may create competition between areas competing for greater powers and resources compared to each other, a situation commonly referred to as “leapfrogging” (McCormack, 2026). If not well handled this could lead to uneven development and increased inter-regional tensions. (McCormack, 2026) .

Conclusion :

The move away from EU focused frameworks to more localized governance in the UK marks a pivotal moment in the country's history with significant implications for its constitutional and economic stability.

Increasingly, Brexit is not viewed as a singular event, but as an ongoing and complicated process, which has left the country's international stance, regional identities and territorial coherence in a state of uncertainty. A particularly major consequence of this transition is the reshaping of borders in the Northern Ireland region, which threatens the transnational socio-economic cohesiveness built up over decades of EU membership.

Economically, the replacement of EU Structural Funds by domestically managed programs, such as the UK Shared Prosperity Fund (UKSPF), has exposed persistent fiscal shortages and administrative inefficiencies. The emphasis on competitive grant allocation and the devolution of delivery to local authorities has sidelined community-based organisations, reducing them to auxiliary responsibilities rather than strengthening them as major strategic participants.

This approach deepens regional inequities, with income and development remaining focused mostly in London and the South East while so-called "left-behind" regions languish with unmet structural demands.

GENERAL CONCLUSION

General Conclusion

This dissertation has taken a close look at how Brexit has affected devolution within the United Kingdom, particularly focusing on the political, economic, social, and constitutional consequences for Scotland, Wales, and Northern Ireland. It became clear that Brexit was much more than just the UK's withdrawal from the European Union; it was a major constitutional shift that reshaped the UK's internal political landscape.

The research revealed that Brexit intensified conflicts between Westminster and the devolved administrations, particularly regarding sovereignty, legislative authority, and the governance of the regions.

Importantly, the impact of Brexit varied significantly across the regions, with Scotland and Northern Ireland voting to remain in the EU, while England and Wales voted to leave, leading to different economic and social outcomes. These differences have sparked important discussions about regional inequality, political representation, and questions of national identity. Additionally, Brexit has brought renewed attention to debates about Scottish independence and Northern Ireland's special status, raising concerns about the unity and stability of the UK.

The findings clearly demonstrate that Brexit has had a profound effect on the devolution process, stirring up constitutional tensions and reigniting debates about autonomy and independence. It disrupted the existing balance of power between the central government and the devolved administrations, creating uncertainty around the future of the Union.

From a theoretical perspective, this study contributes to broader conversations about devolution, sovereignty, and the complexities of multilevel governance in multinational states. It highlights how major political changes like Brexit can reshape constitutional arrangements and regional dynamics. On a practical level, the research emphasises the urgent need for better cooperation and ongoing dialogue between Westminster and the devolved governments to maintain political stability and a sense of cohesion across the UK. These insights are particularly valuable for policymakers who are working to navigate the challenges of governance in a post-Brexit Britain.

Of course, this study has its limitations. It relies primarily on qualitative methods and secondary sources, and it focuses mainly on Scotland, Wales, and Northern Ireland, with less attention paid to regional dynamics within England. Despite these constraints, it offers a solid foundation for understanding the many ways Brexit has influenced territorial governance in the UK. Based on the findings, the study recommends fostering stronger cooperation between the

central and devolved governments, tackling regional inequalities more effectively, pursuing constitutional reforms to clarify how power is shared, and encouraging more political conversations about identity and representation to support national unity. Looking ahead, future research could delve deeper into Brexit's longterm constitutional effects, especially concerning Scottish independence and Northern Ireland's evolving status. It could also examine economic impacts on a more detailed regional or sectoral level and compare the UK's model of devolution with those of other multinational states to gain richer insights into governance and constitutional change in today's democracies.

Bibliography

- AFP. (2018, July 9). *Timeline: Key Moments in Brexit Process*. Retrieved from Al Jazeera: <https://www.aljazeera.com/news/2018/7/9/timeline-key-moments-in-brexit-process>
- Anderson, P. &. (2024). An unstable Union? The Conservative Party, the British Political Tradition, and devolution in Scotland and Wales 2010–23. *Parliamentary Affairs*, 77(4), 790–815.
- Boyle, K. H. (2019). Human rights and social protections in the UK post-Brexit. *The Political Quarterly*, 90(4), 743-752.
- Brown, S. &. (2023). . Productivity puzzles and the devolved state: Lessons from Northern Ireland. *Journal of Economic Geography*, 23(4), 812-830.
- Colley, L. .. (2005). *Britons: Forging the Nation, 1707–1837*. New Haven: Yale University Press.
- Committee, H. o. (2019). *City Deals and Growth Deals in Wales*.
- Connolly, J. &. (2021). Brexit and regional policy in the UK: The territorial politics of the UK Shared Prosperity Fund. *Regional Studies*, 55(10), 1775-1787.
- Coricelli, F., & Campos, N. (2015, February 3). *Why Did Britain Join the EU? A New Insight from Economic History*. Retrieved from VoxEU / CEPR: <https://cepr.org/voxeu/columns/why-did-britain-join-eu-new-insight-economic-history>
- Council of the European Union. (n.d.). *The EU-UK Withdrawal Agreement*. (2024, Editor) Retrieved from European Council / Council of the European Union: <https://www.consilium.europa.eu/en/policies/the-eu-uk-withdrawal-agreement/>
- Court, U. S. (2021). The UK internal market and constitutional change.
- De La Baume, M. (2016, June 24). *Brexit timeline: From referendum to EU exit*. Retrieved from POLITICO Europe: <https://www.politico.eu/article/brexit-timeline-from-referendum-to-eu-exit-archive-2016/>
- Delestre, I. K. (2024). Income and wealth inequality in the UK. IFS Deaton Review of Inequalities. Institute for Fiscal Studies.
- Donaldson, J. S. (2025). . The Productivity Gap: Structural Failures in the Northern Ireland Economy. Belfast University Press.
- Dougan, M. (2020). The UK Internal Market Act 2020: Is the United Kingdom becoming a "unitary state" again? *Common Market Law Review*, 58(5), 1335–1368.
- European Commission. (2024). *What is covered by the Withdrawal Agreement*. Retrieved from European Commission: https://commission.europa.eu/strategy-and-policy/relations-non-eu-countries/relations-united-kingdom/eu-uk-withdrawal-agreement-new/what-covered-withdrawal-agreement-new_en
- Evans, S. &. (2021). “Sleepwalking” to independence? Changing attitudes to Welsh independence in the wake of Brexit. *The Welsh Election Study*.
- GARCÍA, A. M. (2021). The Aftermath of Brexit: Implications for the United Kingdom and European Union.
- Gormley-Heenan, C. &. (2017). Northern Ireland and Brexit: Three effects on ‘the border in the mind’. *The British Journal of Politics and International Relations*, 19(3), 497-511.

- Gormley-Heenan, C. &. (2026). Northern Ireland's Constitutional Future: Between Two Unions. Manchester University Press.
- Government., H. (2023). The Windsor Framework: A new way forward [Infographic]. . <https://www.gov.uk/government/publications/the-windsor-framework>.
- Government., I. f. (2026). Devolution after Brexit: Managing the environment, agriculture and fisheries.
- Government., I. f. (2026). Devolution after Brexit: Managing the environment, agriculture and fisheries.
- Government., S. (2024). Building a New Scotland: Renewing democracy through independence. Scottish Government Research & Analysis.
- Government., U. (2020). The UK's approach to the Northern Ireland Protocol. Presented to Parliament by the Chancellor of the Duchy of Lancaster. Cabinet Office.
- Harris, R. &. (2022). The impact of Brexit on regional productivity in the UK. *Regional Studies*, 56(6), 945-958.
- Hayward, K. (2021). The Northern Ireland Protocol: The constitutional and economic implications. Centre on Constitutional Change.
- Hedetoft, U. (2020). "Brexit: A Valediction. Forbidding Mourning." *Ethnologia Europaea* 50, no.
- Hepburn, E. (2020). Scotland and Brexit: A programme for research. Centre on Constitutional Change.
- Hunt, A. &. (2022). The economic impact of Brexit on the devolved nations: A focus on Wales. *Journal of Contemporary European Studies*, 31(2), 412–428.
- Hunt, A. &. (2022). The economic impact of Brexit on the devolved nations: A focus on Wales. *Journal of Contemporary European Studies*, 31(2), 412–428.
- Keating, M. (2024). The Constitution of the UK and the Nations: From Devolution to Independence?. Edinburgh University Press.
- Llewellyn, H. (2021). The Barnett Formula and the HS2 dilemma: Fiscal fairness in Wales. Wales Governance Centre.
- McAllister, L. &. (2024). . Foreword to the Final Report: A constitutional roadmap for Wales. Welsh Government.
- McAreavey, R. (2023). The impact of the loss of EU funding on Northern Ireland's voluntary and community sector. *Regional Studies, Regional Science*, 10(1), 122-138.
- McCall, C. (2014). The European Union and Peacebuilding: The Cross-Border Dimension. Palgrave Macmillan.
- McCormack, M. (2026). Consideration of growth, regimes and inclusive local development post-Brexit. *Local Economy*. Advance online publication. <https://doi.org/10.1177/02690942261427229>.
- McEwen, N. (2021). The UK Internal Market Act and the future of devolution. *The Political Quarterly*, 92(3), 421–429.
- McEwen, N. (2022, April 4). Irreconcilable Sovereignties? Brexit and Scottish Self-Government. *Territory, Politics, Governance*, 10(5), 733-749. doi:10.1080/21622671.2022.2044898
- McHarg, A. (2020). The UK Internal Market Act 2020: A new layer of control over devolution. *Edinburgh Law Review*, 24(3), 398–405.

- McHarg, A. (2023). The Supreme Court and the Scottish independence referendum reference: A constitutional crossroads. *Edinburgh Law Review*, 27(1), 84–91.
- McHayward, K. &. (2025). Post-Brexit Northern Ireland: The long-term impact of dual-market access. *Irish Political Studies*, 40(1), 45–68.
- Melo Araujo, B. .. (2019). UK post-Brexit trade policy and devolution. *The Political Quarterly*, 90(3), 444-453.
- Munoz, P. F. (2015). The power of the local in social enterprise: Placing the social enterprise in its context. *Journal of Social Entrepreneurship*, 6(3), 304-325.
- Muragundi, P. (2025). The Role of the Windsor Framework in Northern Ireland: Redefining Medicine Supply in a Divided Market.
- Murphy, M. C. (2020). *Northern Ireland and Brexit: Identity, jurisdiction and the border*. Routledge.
- NISRA. (2026). Northern Ireland Composite Economic Index Quarter 3 2025, .
- Office, C. (2020). The UK’s approach to the Northern Ireland Protocol (CP 226). UK Government.
- Oliver, T. (2023). *Reflections: the UK after Brexit*.
- Owen, R. (2021). The justice gap in Wales: A constitutional and administrative challenge. *Journal of Welsh History and Politics*, 15(2), 45–62.
- Parliament., U. (2017). *Brexit: Devolution (House of Lords European Union Committee Report)*.
- Paun, A. &. (2020). *The UK Internal Market Act 2020*. Institute for Government.
- Paun, A. &. (2025). *a symmetric UK: The divergent paths of Scotland, Wales, and Northern Ireland*. Oxford University Press.
- Phifer, S. (2024). *The Protocol/Windsor Framework and the 2024 Democratic Consent Vote. Participation for Protection (P4P)*, Queen's University Belfast.
- Pike, J. T. (2021). Brexit, devolution and economic development in ‘left-behind’ regions.
- Plümper T., L. D. (2018). Regional inequalities in premature mortality in great britain.
- Reenen, J. (2016). Brexit’s long-run effects on the UK economy. *Brookings Papers on Economic Activity*, 367-383. <https://doi.org/10.1353/eca.2016.0031>.
- Review., E. L. (2025). Suppressing Difference: The United Kingdom Internal Market Act and Devolution. 29(1), 84–105.
- Review., E. L. (2025). Suppressing Difference: The United Kingdom Internal Market Act and Devolution. 29(1), 84–105.
- S, L. (2023). *An Economy That Works for Every-one’? An Evaluation of the May Government’s Economic Policies and Statecraft*.
- Schick, D. (2023). *The Windsor Framework and the Northern Ireland Protocol: Legal and Political Perspectives*. Oxford University Press.
- Tierney, S. (2024). *The Scottish independence question: Constitutional and international perspectives (2nd ed.)*. Oxford University Press.
- Torfaen., L. M. (2025). *Independent Review of the Windsor Framework: Recommendations to the UK Government*. HM Government.
- Uberoi, E. (2016). *European Union Referendum 2016*. House of Commons Library. Retrieved from <https://researchbriefings.files.parliament.uk/documents/CBP-7639/CBP-7639.pdf>

- Vickers, I. L. (2017). . Consumer resilience and social enterprise: Challenges and opportunities in the implementation of the Social Value Act. *Public Money & Management*, 37(1), 21-28.
- Wales, I. C. (2024). Final report of the Independent Commission on the Constitutional Future of Wales. Welsh Government.
- Wales., C. o. (2019). Justice in Wales for the people of Wales (The Thomas Commission). Welsh Government.
- Wales., I. C. (2024). Final report of the Independent Commission on the Constitutional Future of Wales. Welsh Government.
- Wallenfeldt, J. (2026, February 19). Brexit. *Encyclopaedia Britannica*. Retrieved from <https://www.britannica.com/topic/Brexit>
- Whiteley, P. (2017). *Why Britain Really Voted to Leave the European Union*. Retrieved from University of Essex: <https://www.essex.ac.uk/research/showcase/why-britain-really-voted-to-leave-the-european-union>
- Wilson, T. M. (2021). European Borderlands, Beyond Britain and Brexit.
- Wincott, D. (2021). The impact of Brexit on the Welsh devolution settlement. Wales Governance Centre.
- Wyn Jones, R. &. (2021). The Union and Devolution: The View from Wales. Oxford University Press.